



T H E LONDON MAGAZINE.

D E C E M B E R, 1735.

PROCEEDINGS and DEBATES in the *last Session* of PARLIAMENT, *continued from Page 594.*

Conclusion of the DEBATES in the H. of Lords, in relation to the Scotch Petition.



O the Argument against the Motion for dismissing the Petition, it was replied as follows, *viz.*

According to the Method we have lately fallen into, I am afraid, my Lords, we shall never be able to come to the End of any Debate. If upon every new Motion in any Affair, Lords shall take the Liberty to enter into former Debates, to resume all the Arguments they have, upon former Motions, made use of, and find Fault with those Orders and Resolutions, which have been not only agreed to, but agreed to by a great Majority of this House, this will naturally provoke other Lords to justify what they had before given their Consent to; this may probably occasion a Reply, and, at this Rate, we shall have the whole Business of the Session perhaps brought in and repeated in every new Debate: I hope every one of your Lordships will consider, what an endless, intricate Labyrinth this may involve us into, and will therefore keep a little more close to the Question in Hand.

My Lords, in the present Affair your Lordships made an Order, that the Petitioners should lay before this House, in Writing, Instances of those undue Methods and illegal Practices upon which they intended to proceed, and the Names of the Persons they suspected to have been guilty of such undue Methods and illegal Practices; and for this Purpose your

Lordships gave them such a sufficient Time, that even they themselves have not found Fault with it: This Order they have not complied with, your Lordships have already, by a great Majority, resolved, that they have not complied with it; and is not the dismissing of their Petition a natural Consequence of that Disobedience in them, and of this Resolution which your Lordships have already agreed to? I shall not, my Lords, enter into a Vindication of that Order, or of that Resolution, because I should thereby fall into that Error which I find fault with in others: But allow me to say, my Lords, that the Petitioners might have told us who it was, or at least who they suspected it was, that made use of the King's Name for inducing any Lord in Scotland to vote for a List, and they might have told us, who it was that promised or gave Money or other Reward for voting for a List, without telling us the Names of the Persons with whom such Arguments were made use of; and this I am persuaded your Lordships were fully convinced of, before you agreed to that Resolution you have just now come to.

As the dismissing of the Petition is therefore a natural Consequence of the Resolution your Lordships have agreed to, I cannot see why it should give any Lord in this House so great a Concern; for tho' the Practices complained of, are such as certainly do affect the Honour and Dignity of this House, and the Independency of Parliament, if there are any good Grounds to suspect that such Practices were actually made use of, your Lordships may, notwithstanding your dismissing the Petition now before you, fall upon many Ways of enquiring into those Practices: I believe I

could myself propose a very proper Method, for your Lordships to enter upon such an Enquiry, if I thought there was a Necessity for any such. The Consequence therefore of the Practices complained of, or the Necessity that there may be for enquiring into those Practices, can be no Argument against our dismissing the Petition now before us; and in order to act consistently with the Orders and Resolutions we have already agreed to, we cannot, in my Opinion, avoid dismissing it; for which Reason I shall agree to the Motion the noble Lord has been pleased to make.

When the Question was just going to be put, the E—l of S—d stood up, and spoke to this Effect, *viz.*

My Lords, the Motion now before us, is so far from being a natural Consequence of the Resolution agreed to, that it is directly contrary to the usual Method of proceeding in this House and in all the Courts of Justice in the World. In the whole Course of this Affair your Lordships have hitherto gone very much into the Methods of *Westminster-Hall*, and therefore I hope you will follow them throughout the whole of the Affair now before you; in all the Courts below, the first Order they make in any Case is seldom or ever absolute and peremptory: If their first Order is not complied with they generally make a second, sometimes a third, which is called a peremptory Order; but even with respect to the most peremptory Order, if the Party who is to comply with it should make some sort of Compliance, but by Mistake should not comply with it so fully as he ought to do, surely the Court would give him an Indulgence, and would assign him a new Day for rectifying that Mistake, especially if he should shew to the Court a plausible Reason why it was not in his Power to comply fully with their Order.

This, my Lords, is the Method of proceeding in all the Courts below, and this is the constant Method of proceeding in this House. I remember, when this Affair came first before us, some noble Lords were mighty fond of making it a Cause; and if we look upon it as a Cause, the Motion now before us is very far from being a natural Consequence of the Resolution agreed to: Do not we, my Lords, in all Appeals, make an Order for the Respondent to put in his Answer against such a Day? But that Order is never absolute and peremptory; if the Respondent fails to comply with it, your Lordships never proceed to hear the Cause *ex parte*, you always make a new Order, for the Respondent to put in his Answer against such another Day, which in that Case is called a peremptory Day; therefore, if your Lordships are not satisfied with the Answer already given in by the Petitioners, I hope the noble Lord will wave the Motion he has made, and agree to that I now make you, which is, 'To adjourn

' the Consideration of this Petition to this Day se'nnight, and to order that the Petitioners, may, against that Day, put in a further Answer to your Lordships last Order.'

But the former Motion being insisted on, the Question was put upon it, which on a Division was agreed to by 99 to 52, Proxies included. After which the Petition was, by the Forms of proceeding in that House, of course, rejected.

Upon the Motion's being agreed to, for dismissing the Petition, a Protest was entered upon the Journals of that House, (*which see in our Magazine for May, p. 247.*)

The House having been silent for some little Time after this Division, at last the E—l of Ab—n stood up, and said, That the Affair they had been upon was a Matter of such Consequence, that he thought it ought not to be entirely dropt: That in their former Debate a noble Lord, who was for dismissing the Petition, had told them, that tho' the Petition should be dismissed, he could put them in a Way of enquiring into the illegal Practices complained of; and therefore he hoped that noble Lord would stand up, and propose some Method for their entering upon an Enquiry into that Affair.

Upon this the E—l of I—a stood up, and spoke to this Effect, *viz.*

My Lords, I believe the noble Lord has misapprehended what I said in the former Debate; for I did not say, nor could mean to say, that I would put your Lordships into a Method of enquiring into all the illegal Practices complained of, because I never did, nor do yet believe, that there ever were any such Practices made use of, except as to the Regiment, which is said to have been kept under Arms during the Time of the Election; that I believe there may be some Truth in. That, as I have said before, I wish your Lordships would enquire into, and if you have a Mind to enter into any such Enquiry, I believe I may be able to contrive some proper Method for that Purpose; but as I have not yet turned much of my Thoughts that Way, I cannot say that I am just now prepared to offer any Thing even upon that Head to your Lordships Consideration, nor do I think it absolutely necessary to be done this Night.

Then the E—l of Ab—n stood up again, and spoke thus, *viz.*

My Lords, Since the noble Lord who spoke last has declined to offer any Method to your Lordships Consideration, give me Leave to offer something which will naturally bring you into a Method of making an Enquiry into the Affair you have had before you. I have, my Lords, in my Hand a printed Paper, a Sort of a Pamphlet, at least I bought it at a Pamphlet shop, where it was publickly sold, and it is intitled, *The Protests of a great Number*

of noble Lords, entered by them at the last Election of Peers for Scotland: * Whether or no there were any such Protefts then entered, is what I cannot pretend to inform your Lordships of; but if there were any such, it is incumbent upon your Lordships to enquire into the Practices there complained of; and if no such Protefts were entered, it is an Indignity offered to the Peers of Scotland, whose Names are pretended to be put to them, it is an Indignity offered to the 16 Peers of Scotland now in this House, to publish any such Forgery; therefore the Publishers ought to be enquired into, and ought to be brought under the Censure of this House; for which Reason I desire, my Lords, that this printed Paper, or Pamphlet may be read.

The E—l of S—gb said, he thought it was something very extraordinary to desire a Pamphlet to be read at their Lordships Table: It was at all Times below the Dignity of that House to have a Pamphlet read at their Table; but to desire any such Thing when it was so late was still more improper, therefore he hoped their Lordships would adjourn.

The E—l of Ab—n stood up again, and spoke thus:

My Lords, It is so far from being below the Dignity of this House to have a Pamphlet read at your Table, that it is not only an usual Practice, but it is a Right that every Lord has, and may insist on. It is a common Practice, my Lords, when any Lord of this House thinks that his own Honour, the Honour of this House, or the Honour of any Peer of Great-Britain is reflected on, by any Pamphlet that has been published, to make his Complaint to the House, and he has a Right to have what he complains of read at your Table. Upon such Occasions I know it is usual, to point out the particular Paragraphs, or Sentences, in the Pamphlet complained of, and to desire that they only may be read at the Table; but in the Pamphlet I now complain of, every Paragraph is worthy of your Lordships Consideration, and as it is but short, as it will take up but a very few Minutes of your Lordships Time, I desire the Whole may be read.

The E—l of A—rd spoke next, in Favour of the Motion; but several other Lords still insisting, that a Pamphlet ought not to be read at that Table, the L—d B—st stood up, and spoke thus;

My Lords, Since your Lordships do not seem inclined to have a printed Paper read at your Table, I shall offer you one in Writing. I can inform your Lordships, that such Protefts as are mentioned in that printed Paper, or Pamphlet, which has been dispersed over the whole Kingdom, were actually entered upon the Journal of the last Election of Peers for Scotland, and were signed, by a great Number of Peers of that Kingdom: Of those Pro-

tests I have now in my Hand an authentick Copy, a Copy taken from the Register or Journal of that Election, signed by the two principal Clerks, and witnessed by two Gentlemen, who are now attending in the Lobby, and ready to declare, upon Oath, at your Lordships Bar, that they collated it with the Journal, and that it is a true Copy: The

A reading of this at your Lordships Table, I hope you will not think below the Dignity of this House; and as I think it inconsistent with the Honour of this House to adjourn, notwithstanding its being so late, † without making some Step towards enquiring into an Affair which so much concerns the Preservation of our Constitution, and which has made so much Noise over the whole Kingdom, therefore I hope you will immediately proceed to take into your Consideration what I now offer, or appoint a short Day for that Purpose.

Upon this it was moved to adjourn, and the Motion being insisted on, the Question was put, which was carried in the Affirmative, by 73 to 39. Whereupon a Protest was enter'd upon the Journal, (which see, p. 248.)

COMMITTEE appointed by the H. of Commons to enquire into the Post-Office, in relation to frank'd Letters; and their Resolutions.

On Feb. 17. W—r P—r, Esq; moved the H—se of C—ns, ' That the Post-master General might be ordered to lay before that House a Copy of his Majesty's Warrant, whereby Letters were permitted to pass free of the Duty payable upon Post Letters;' which Copy was accordingly laid before the House upon the 19th; and on the 26th the same Gentleman moved, ' That it might be taken into Consideration.' The Warrant being accordingly read, the House

E proceeded to take it into Consideration; upon which Occasion Complaints were made by several Members, that their Letters were not only charged at the Post-Office, but that they were often broke open and perused by the Clerks; and that this Practice of breaking open Letters was become so frequent, and was so publicly known, that the very End for which that Liberty was given to the Post-masters was entirely disappointed; for the Intention being at first to discover any treasonable Correspondence that might be carried on against the Government, that Intention was rendered altogether vain, because by the Practice of opening Letters being so frequent, and so well known, it was certain, that no Man would carry on any treasonable Correspondence by Means of the Post-office; so that the Liberty given to break open Letters at the Post-office could now serve no Purpose, but to enable the little Clerks about that Office to pry into the private Affairs of every Merchant, and of every

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* See the London Magazine for June, 1734, p. 316.

† Near Ten o' Clock at Night.

every Gentleman in the Kingdom. At last it was insisted, that the Warrant then laid before the House was not the last Warrant granted by his Majesty, nor the Warrant by which the Post-masters then acted; and therefore it was moved, that a Committee should be appointed to enquire into that Affair.

This Motion was supported by *E—d L—le*, Esq; Member for *M—gb* in *Wiltshire*, *G—ge H—te*, Esq; *W—m P—ey*, Esq; *R—t D—s*, Esq; and Mr. *A—n P—ry*; and it was a little opposed by Sir *R—t W—le* and *H—ry P—m*, Esq; but at last they agreed to the Motion, provided that Committee should not enquire into any Thing that might tend to the discovering of any of the Secrets of the Government: And a Committee was appointed accordingly.

On *March 28*. Mr. *P—r*, reported from the said Committee, that they had examined the Matter to them referred, and had directed him to report the same as it appeared to them, together with their Resolutions thereupon, to the House; which Report being read, and delivered in at the Table, the same was taken into Consideration on *April 16*, and the Resolutions of the Committee were as follow, *viz.*

Resolved,

1. That it is the Opinion of this Committee, that the Privilege of franking Letters by the Knights, Citizens and Burgesses, chosen to represent the Commons in Parliament, began with the erecting a Post-office within this Kingdom, by Act of Parliament.

2. That all Letters (not exceeding two Ounces) signed by the proper Hand of, or directed to any Member of this House, during the sitting of every Session of Parliament, and 40 Days before and 40 Days after every Summons or Prorogation, ought to be carried and delivered freely and safely from all Parts of *Great-Britain* and *Ireland* without any Charge of Postage.

3. That it is an high Infringement of the Privilege of the Knights, Citizens and Burgesses, chosen to represent the Commons of *Great Britain* in Parliament, for any Post-master, his Deputies or Agents, in *Great Britain* or *Ireland*, to detain or delay, open or look into, by any Means whatsoever, any Letter directed to, or signed by the proper Hand of any Member, without an express Warrant in Writing, under the Hand of one of the Principal Secretaries of State, for every such Detaining, Delaying, Opening, or Looking into.

4. That all Letters directed to any Member of this House at any Place within the Bills of Mortality, be carried by the proper Officers of the Post-office to the House or Lodgings of such Member, or to the Lobby of the House of Commons.

5. That it is a notorious Breach of the Privilege of the House of Commons, for any Person to counterfeit the Hand, or put the Name of any Member of the House of Commons upon any Letter, in order to prevent its being charged with the Duty of Postage.

6. That such Persons as shall presume to do the same, ought to be proceeded against with the utmost Severity.

The first two of these Resolutions were that Day agreed to, and on the 25th of the same Month the third Resolution was amended thus.

That it is an high Infringement of the Privilege of the Knights, Citizens and Burgesses, chosen to represent the Commons of *Great Britain* in Parliament, for any Post-master, his Deputies or Agents, in *Great Britain* or *Ireland*, to open or look into, by any Means whatsoever, any Letter directed to, or signed by the proper Hand of any Member, without an express Warrant in Writing, under the Hand of one of the principal Secretaries of State, for every such Opening or Looking into; or to detain or delay any Letter, directed to, or signed with the Name of any Member, unless there shall be just Reason to suspect some Counterfeit of it, without an express Warrant of a principal Secretary of State as aforesaid, for every such Detaining or Delaying.

Then the three other Resolutions were severally read a second Time, and agreed to without any Amendment.

DEBATE on the Motion for a select Committee, in relation to the Supply.

On *Feb. 21*. the House went again into a Committee of the whole House, to consider further of the Supply granted to his Majesty, when they came to several Resolutions, which were on the 24th agreed to by the House, and were as follow, *viz.*

That a Sum, not exceeding 215,710*l.* 6*s.* 5*d.* Half-penny be granted to his Majesty, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis Royal*, *Canso*, *Placentia* and *Gibraltar*, for the Year 1735.

That a Sum, not exceeding 10,273*l.* 1*s.* 7*d.* Farthing, be granted to his Majesty, for defraying several extraordinary Expences and Services, incurred *Anno* 1734, and not provided for by Parliament.

That a Sum, not exceeding 18,850*l.* 9*s.* 2*d.* be granted to his Majesty, upon Account, for Out-pensioners of *Chelsea* Hospital, for the Year 1735.

Immediately after these Resolutions were agreed to, Sir *W—m W—m* stood up, and moved to read the Journal of the House of the 5th of *December*, in the 2d Year of the Reign of King *William* and Queen *Mary*, in

in relation to the Report from the Committee, to whom the Consideration of the Estimates and Accounts relating to the Army, Navy and Treasury were referred; which was accordingly read. Then he moved to read the Journal of the House of the 9th Day of November, in the third Year of the Reign of their said Majesties, in relation to the Appointment of a Committee, to inspect the Estimate of the Charge of their Majesties Navy for the Year 1692; and the same being read accordingly, he then moved, that the ordinary Estimate of his Majesty's Navy for the Year 1735, might be referred to the Consideration of a select Committee, and that they should examine the same, and report the Facts with their Opinion thereupon to the House.

The Argument in Support of this Motion was in Substance as follows, *viz.*

Sir, When I reflect upon the long Peace this Nation has had the good Fortune to enjoy, I am surpris'd to consider how bad a Use has been made of it by the Publick, how small a Part of our publick Debts has in all that Time been paid off; but when I consider the vast Sums that have been yearly rais'd in all that Time, when I consider that the People have not been made quite free of any one Tax which the preceding War brought upon them, nor any Tax, except one only, in the least diminished, I am really astonish'd: I cannot comprehend how it was possible, in every Year of this long Term of Peace and Tranquillity, to find so much as plausible Pretences for putting the Nation to such a vast Expence; and I must think, if our Parliaments, for these 20 Years past, had followed the laudable Example laid down in the Precedents now read to you, and had always appointed a select Committee, to consider and examine the Estimates yearly laid before them, it would not have been possible to prevail with them to agree that such an Expence was necessary.

This, Sir, I wish had been done by every Parliament since the Revolution: But as it is never too late to do well, and as this is the first Session of a new Parliament, I hope we shall begin to follow that Example which was shewn by the first Parliament after the Revolution. I hope it will not be said, but that Parliament had as good Reason to put a Confidence in the Administration as this Parliament has, or as any Parliament had since that Time; and yet we find that Parliament, in their very first Session, passing an Act, and by Ballot appointing Commissioners, for taking and examining the Accounts of all publick Monies, and resolving that no Person should be one of those Commissioners, who had any Office of Profit, or was accountable to their Majesties; and their Care of the publick Money, in their second and third Sessions, we may collect from the Journals now read to

us. For this Reason I am convinced, that what I am now to propose cannot be reflected on, as shewing the least Disrespect to his Majesty, or as tending to shew a Diffidence in our present Administration. It is only shewing that prudent Care of the People's Money which we ought always to shew as their Representatives, even tho' there were no particular Reason for our being so careful.

But at present, Sir, we have a particular and a very melancholy Reason for refusing the antient Usage of Parliament: It is well known that Estimates have been every Year laid before this House, of all the Expences which were then supposed to be necessary for the ensuing Year; and notwithstanding those Estimates were very extraordinary, and much larger than were ever before usual in this Nation, yet in every Year ample Provision has been made for the Expences of the ensuing Year, conform to the Estimates that had been laid before the House: This is known to every Man, and every Man that does know it must think it very odd, that in so small a Number of Years such a great Debt should be contracted as is at present due upon Account of our Navy; but it must appear still more surprising when we consider, that in every Session of Parliament Accounts have been laid, or ought to have been laid before this House, of the Deficiencies, if any, of all former Grants, and likewise of all Services incurred and not provided for by Parliament. If such Accounts had been fully laid before this House, and rightly considered, they would certainly have been made good, and the Services, if found to have been necessarily incurred, would certainly have been provided for, out of the first and readiest of the Grants made for the Service of the next ensuing Year.

This, Sir, is the natural and the only proper Way of providing for all Deficiencies, and for all Services incurred and not provided for the former Session of Parliament: While this Method is regularly pursued, the Strength of the Nation is not impaired by loading Posterity with Debts and Mortgages, nor can the People be so easily prevailed on to submit to any extravagant and unnecessary Expence; and the Facts being fresh in every Man's Memory, if any Fraud or Fallacy be artfully couched under any of the Articles of the Accounts given in, it may be easily discovered; but when the Nation is thus secretly run in Debt, the Strength of it is daily impaired; the People being ignorant of their Expence, cannot find Fault with any of those extravagant Measures which occasioned that Expence; and when Accounts are brought into this House in such a Heap, and after the Transactions to which they relate have been all past and forgotten, it is then impossible for Gentlemen, who peruse them only at the Table, to discover the Falshood of any of the Articles, or the Fallacies

cies that may be practised in the Manner of stating the Accounts.

Upon such a slight View, Sir, as I have taken of the Accounts now upon the Table, it is not possible for me to enter into the particular Articles; but I cannot help taking Notice of one Article, which to me appears a very extraordinary one. There is one Article of very near 250,000*l.* charged, not for the Building of Ships, but for the Building of Houses; whether such Houses were necessary I shall not now pretend to determine, but if they were, I think it is too large a Sum for any Minister, or for any Administration to have expended, without a previous Authority from Parliament, and that I am sure was never so much as asked for. What the present Age may think of such a Sum, or what the Gentlemen of this House may think of such a Sum I do not know, but I am sure our Ancestors, even those of the very last Age, would have been extremely shy of loading the People with at least a Six-pence in the Pound upon all the Lands in *Great-Britain*, for no other Purpose but that of building Houses for the Commissioners and other Officers belonging to the Admiralty; and I must think it a little extraordinary to see Ministers, of their own Heads, undertake to do that which even Parliaments of old would scarcely have undertaken to have done. 'Tis true, Parliaments have of late become very good natured, they have put great Trust and Confidence in Ministers, and have generally, I shall not say blindly, approved of all ministerial Measures: This may perhaps have made Ministers presume a little further than they would otherwise have done; but I am very sure that in former Times, nay till very lately, no Minister would have dared to have drawn the Nation into such an Expence without an Authority from Parliament for so doing.

This Article would, I believe, Sir, have appeared a little extraordinary, in the most flourishing Circumstances that ever this Nation was in; but in our present Circumstances, when the People are groaning under heavy Taxes, when most of those Taxes are already engaged for the Payment of our Debts, I must think it highly extravagant. We ought to make our Estate our own, we ought to free it from those Mortgages that are upon it, before we think of beautifying it with sumptuous and costly Buildings. However, Sir, let me suppose that this Expence was no Way extravagant, that it was absolutely necessary, yet still it ought to have been provided for by Parliament before it was undertaken, or at least it ought to have been provided for by the very next Session after it was laid out: In that Case the Parliament would probably have taken Care to have saved as much upon some other Article: By that Means our being involved in so heavy a Debt as we are at present would

have been prevented, and we would have been in a more tolerable Condition for acting that Part, which the present Circumstances of *Europe* may make incumbent upon us to undertake.

The Revenues of a Nation, Sir, which always arise from those Taxes the People are obliged to pay, may properly be compared to the Revenues of a private Gentleman's Estate; and every Gentleman who has a Regard to his Family, or to his own Credit, will certainly proportion his Expence and Way of Living to the Revenues of his Estate, taking Care to save as much yearly as may be necessary for providing for the younger Children of his Family, and for answering those contingent Expences which future Accidents or Misfortunes may probably bring him into: Such a Gentleman will consider that if, by his Way of Living, or by an expensive Project, he spends more than the yearly Revenue of his Estate may, according to this Computation, answer, he must yearly destroy a Part of his Estate; and that the greater this Surplus is, the sooner his Estate and Family will be ruined. Let us suppose then that such a Gentleman had desired his Steward to sit down and compute the Method and Manner how he was to live, the Number of Servants he was to maintain, and the Equipage he was to keep up, so as not to spend yearly more than the Revenue of his Estate could bear, allowing so much yearly for Childrens Provisions, for paying off Mortgages, if he had any upon his Estate, and for future Contingencies: Suppose this Steward had prescribed such a Manner of living, and had for several Years fed him up in the Notion, that he was spending no more yearly than his Estate could bear; but at last brings him in a terrible Account of Expences incurred and Debts contracted, by the Manner of living which he himself had prescribed, and gravely tells him, he must sell or mortgage one of his best Manors for paying off those Debts: What would such a Steward deserve? What Treatment could he expect to meet with? Surely he must at least expect all his Accounts to be canvassed, and examined in the strictest Manner, and that his Master would never place a Confidence in any of his Schemes or Calculations for the future.

The Case, Sir, is the same with this Nation at present: We have been cajoled and made believe, that what we were spending yearly was no more than the Taxes yearly raised would answer: These Taxes have been cheerfully granted by Parliament, and as cheerfully paid by the People, in full Expectation that these were all that were necessary for answering our annual Expence; but now, Sir, when we are in Danger of being brought into a great and unforeseen Expence, we are told that we have run much in Arrear, that a great Debt has been contracted, and that for the Payment of this

this Debt, we must either mortgage those Funds which ought to be reserved for a Time of Danger, or we must lay violent and impious Hands upon those Funds which have been long ago declared sacred, and religiously appropriated for relieving us from those heavy Burdens we at present groan under. While we are Members of this House, Sir, we are the Trustees and the Guardians of the People; and when the People have been so much cajoled and deceived, when they have been thus insensibly run into a heavy and unexpected Arrear, shall we approve of the Accounts of those Services by which that Arrear has been occasioned, without examining strictly into every Article? I must think we are, both in Honour and Conscience, bound to examine them in the strictest Manner, and therefore I shall beg Leave to move, &c. (as before-mentioned.)

To this it was answer'd as follows, *viz.*

Sir, the Affairs of *Europe*, and the various Incidents that have occurred since the famous Peace of *Utrecht*, are so fresh in every Man's Memory, that I think it very unnecessary to enter into any particular Detail of them; and therefore I shall only observe in general, that every Man, who knows any Thing of the History of *Europe* for these last 20 Years, may very easily give a Reason why we have not been able to pay off any very considerable Part of our publick Debts. There was no Method of paying off honestly and fairly any of our Debts formerly contracted, but by increasing the publick Revenue, or saving a Part yearly of that which had before been established; and any Gentleman who will attend to our Conduct for these last 20 Years will see, and must acknowledge, that both these Methods have been pursued as much as it was possible. We could not increase the publick Revenue by imposing any new Taxes, for our People think they are already burdened with too many; and if any such Method had been proposed, it would certainly have been opposed, perhaps by some of those Gentlemen who now find Fault with so small a Part of our Debts having been paid off: The only other Method of increasing the publick Revenue was, by having the Taxes carefully collected, and thereby endeavouring to increase the Produce of each; and this has been pursued with the utmost Care and Industry, in so much that most of our Taxes produce more now than they did 20 Years ago.

With respect to the saving a Part of the publick Revenue which had been before established, it could be done no other Way but by reducing the Interest payable to the Creditors of the Publick, or by reducing the publick annual Expence: The first of these Methods, I believe it will be acknowledged, has been pursued with great Industry, and luckily for

the Nation, with great Success; and no Man can with Justice say, that for these 20 Years past the Nation has been put to any Expence but what was absolutely necessary, according to the Circumstances the Affairs of *Europe*, or the Affairs of the Nation were in at that Time; nor has it been put to any Expence but what was regularly laid before the Parliament, and always approved of by Parliament; so that the finding Fault with any Part of our Conduct for these 20 Years past, is not really finding Fault with the Conduct of our Ministers, but with the Conduct of King and Parliament.

I shall agree with the Hon. Gentlemen, Sir, that Estimates have been every Year laid before the House, of what was then supposed to be necessary for the Service of the ensuing Year; and I hope they will agree with me that it was right to do so; but I never heard that the Gentlemen who computed those Estimates and laid them before Parliament pretended to be infallible, and as they never pretended to be so, they have often found they were not; the Estimates they have given in have been found to be deficient, some of the necessary Services have been sometimes omitted, or the Sums thereby allotted have been found not sufficient for answering the Services for which they were appointed, and this is one of the Reasons why so large a Debt now appears to be due on Account of the Navy: Another Reason is, that the Funds appointed by Parliament for raising those Sums which were yearly granted by them for the Service of the Navy, have been always found deficient; and a third Reason is, that the Parliament have often found it necessary for the Safety of the Nation, to give his Majesty Votes of Credit, in Pursuance of which some additional Expences have been incurred, above what were mentioned in the Estimates yearly given in at the Beginning of the Session; and as such Expences were generally incurred by making Additions to our Navy, which is the natural Defence of this Nation in all Times of Danger, it has greatly increased the Debt due on Account of our Navy, and is one of the chief Reasons why that Debt is now become so considerable.

All these Deficiencies, as soon as they were known, have been every Year regularly laid before Parliament; some of those Accounts relating to the Navy Debt, which are now upon your Table, have been for several Years successively laid upon your Table, and all of them, except some few Articles which have lately accrued, were laid before the last Session of Parliament; but for what Reasons, I shall not pretend to determine, the Parliament never thought fit to provide for those Deficiencies, or to pay off any Part of that Debt which had been thereby occasioned; tho' I must suppose that, as the Accounts were regularly

larly laid before Parliament, when the Facts and the Transactions to which they related were fresh in every Man's Memory, if any Error or Fallacy could have been pointed out, or if any Objection could have been made to any one of the Articles, it would not only have been taken Notice of in this House, but would have been made a Subject for Clamour over the whole Nation; for there always have been, and I hope there always will be, a great Number of Gentlemen in this House not only capable, but ready and willing to discover any Falshoods or Fallacies that may be artfully foisted into our publick Accounts; and if any such Discovery had been made, our Transactions are not so secret, but those who are disaffected to his Majesty's Family and Government, or discontented with the Administration, might have got hold of the Discovery, and would certainly have from thence endeavoured to have raised a popular Clamour, at least against the Administration: For this Reason I must suppose, that all the Accounts upon your Table have already been sufficiently canvassed, and therefore I cannot think there is any Occasion for appointing a select Committee for that Purpose.

As for the Article, Sir, which the Hon. Gentlemen have been pleased to distinguish by a particular Remark, it is certain that Houses, Docks, Dock-yards, and Magazines, are as necessary for the Support of our Navy as Ships of War; and it is as necessary to rebuild the former, when fallen to Decay, as it is necessary to rebuild the latter. To pretend that Ministers, by Directions from his Majesty, cannot or ought not to order a Dock, Dock-yard or Admiralty-Office to be repaired or rebuilt, without having first laid the same before Parliament, seems to me something very extraordinary; it may be as well pretended, that they ought not to order a Man of War to be rebuilt or repaired, without first having laid the same before Parliament: In this Respect the Greatness or the Smallness of the Sum can make no Difference, it is the Nature of the Service only we are to regard, when we are to determine, whether it ought or ought not to be laid before Parliament before it be undertaken; and surely no Man will say, but that his Majesty, or his Ministers by his Direction, may give Orders to rebuild a Man of War, or to repair or rebuild a publick Office, without having first laid the Affair before Parliament for their Approbation. I believe it will be granted, and if it were enquired into it would be found, that no Money has been laid out in this Way, nor any Houses built, but what were absolutely necessary; and if there had been any Falshood or Fallacy in any of the Accounts relating to that Expence, as they have been long upon the Table, it would certainly have been discovered, and would long before now have been taken Notice of.

Thus it must appear, Sir, that the Story we have been told of a Steward's running his Master in Debt, is no Way parallel to the present Case; for this Nation has been run into no extraordinary Expence, but what had not only the Authority of Parliament before it was undertaken, but the Approbation of Parliament after it was laid out; and if any Debt has been contracted, if the Funds appropriated for the Service of the Year have proved at any Time deficient, or if any Services have been incurred which were not provided for by Parliament, those Deficiencies and those Services have been regularly laid before Parliament as soon as they could be brought into an Account: And it is very certain, if a Steward should run his Master into no Expence but what he had a previous Authority for, and should fairly and honestly lay before his Master every Year, or as often as it could possibly be done, a full Account of the Debt he had contracted in the preceding Year, that Steward could deserve no Censure from his Master, nor would his Master have any Reason for examining his Accounts, in a more particular Manner than he had ever done those of any other Steward.

Now, Sir, as it must be granted that the naming of a select Committee, to enquire into and examine any Accounts or Estimates, is a very extraordinary Method of proceeding, a Method which has not been practised for many Years, and never was often practised, we must suppose it will give a general Alarm, and will make People imagine that some Frauds have been committed, or at least that there is a Suspicion that some Frauds have been committed: This will of course throw a Reflection upon his Majesty's Government; and therefore I think we ought not to enter into any such Method without some very strong Reasons; and as I can see no Reason for our entering into any such Method, as I can see no Good that can be expected from any such Method, as I am convinced it will do a great deal of Mischief, by raising Jealousies and Fears among his Majesty's Subjects, therefore I must be against the Motion.

The Reply was in Substance thus, viz.
Sir, It is from the Knowledge I have of the History of this Nation in particular, and the History of Europe in general, that I am so much surprised, with respect to the small Part of our publick Debts that has been paid off, notwithstanding the Continuance of all our Taxes, and the vast Sums that have been raised in every Year of that Time; and the more I consider it, the more I am surprised, the less I can account for the unprofitable Use we have made of such a long Term of Peace and Tranquillity: But I am still more surprised to hear any Gentleman say, that all possible Methods have been pursued, either for diminishing

minishing the publick annual Expence, or for diminishing the annual Interest due to the Creditors of the Publick; on the contrary I am convinced, that all possible Methods have been pursued for increasing the first, and no Opportunities have been embraced for reducing either the Principal or the Interest due to the Creditors of the Publick, but such as durst not be refused or neglected.

We have been for these 20 Years in a continued Course of publick Peace and Tranquillity, at least we have had no War declared, nor any Broil with any of our Neighbours, for which a good Reason can now, in my Opinion, be given, or from which this Nation has reaped any visible Advantage; and yet in every Year of that Time we have been very near at as great an Expence, as we were at in any one Year of the heavy War in K. William's Reign: We have had numerous Armies kept up within our own Country, we have maintained many Princes, and many Armies in foreign Countries, and we have sent many expensive Squadrons into almost all Places of the World; and I should be glad to hear a Reason for any of our naval Expeditions into the *Baltick* or the *Mediterranean*, given by those who are now for our looking quietly on to see the Emperor strip of his Dominions in *Italy*, and *Muscovy* prescribing Laws, and giving Sovereigns to its neighbouring Kingdoms: In like Manner, I should be glad to hear a Reason for our being so much alarmed at the Treaty of Alliance only, between *Spain* and the Emperor, given by those who now seem to be so little alarmed at a Treaty, not only of Alliance but of Conquest, between *France*, *Spain* and *Sardinia*: This, Sir, I do not say with a Design to insinuate that we have as yet any great Reason to be alarmed at this last Alliance, but I must think we had from the Beginning much greater Reason to be alarmed with it, than ever we had to be alarmed with the former; and I must think it would now have been more justifiable in us to have thrown ourselves into the Arms of the Emperor, in order to have prevented the Consequences of this last Alliance, than ever it was to throw ourselves into the Arms of *France*, in order to prevent the Consequences of the former: From all which I must conclude, either that a great Part of the Expence we have formerly been at might have been saved, or that our present Inactivity is highly dangerous and utterly inexcusable; and which of these two to chuse I shall leave to the Gentlemen who now so strenuously insist, that for these last 20 Years we have taken all possible Methods to diminish our publick annual Expence.

Now, Sir, as to the diminishing of the Interest payable to the Creditors of the Publick, can it be said that we have taken any one Method to diminish it, but what the Nature

of the Thing and the Circumstances of the Nation plainly pointed out, nay so plainly, that it would have been highly criminal in any Administration to have neglected the Opportunity? But if we had applied the Sinking Fund, religiously and regularly, to the Payment of our publick Debts, if we had saved every Farthing of that Expence, which has been thrown away in maintaining numerous idle Armies, and sending out many idle Squadrons, and had applied all those Savings to the same honest Purposes, the Principal of our publick Debts would have been so greatly reduced, that the Creditors who remained unpaid would have been glad to have taken what Interest we were pleased to allow them: Nay, I do not know but the Principal would, by this Time, have been so greatly reduced, that the 3 great Companies would have been glad to have passed from the Payment of any future Interest upon what was due to them, in order to have had their Charters continued.

Whether Accounts were regularly laid before Parliament of the present Navy Debt, yearly as it became due, is what I shall not pretend to deny, because I do not really know whether it was so or not; but if this be true, which I shall, in Complaisance to the Hon. Gentlemen, admit, it is the strongest Argument that can be given for what is now proposed; it is a full Confirmation of that old Proverb, that *what is every Man's Business, is no Man's Business*, and therefore an unanswerable Argument for our returning to the old Custom of Parliament, and appointing select Committees every Year to consider and examine every Estimate laid before us: For I hope no Man will say but that we ought, in Time of Peace especially, to raise as much within the Year as will answer the Services of the Year; and if any Deficiency should happen in the Funds granted for one Year, or if it should be found that the Estimates were deficient, all those Deficiencies ought certainly to be made good the very next Year. It is certainly inconsistent with the publick Good to leave Arrears long due, because when Tradesmen, or those who furnish the Publick with what is necessary for publick Use, must lie for Years out of their Money, it is certain they neither can nor will serve the Publick so cheap as when they know they are sure of their Money in Hand, or within a few Months after the Goods are delivered; and the longer any of those Arrears stand unpaid, the more expensive will the future Contracts of the Publick always be, the greater Price they will be obliged to pay for every Thing that is afterwards bought for publick Use.

With respect to Ministers, indeed, and the Tools employed under them, I must observe, Sir, that it is of great Advantage to have publick Accounts stand long in Arrear; and

this Advantage is greater in the Navy than in any other Branch of publick Business, because Tradesmen, and others who serve the Publick, but especially Seamen, cannot lie long out of their Money; if they cannot get their Money soon after it becomes due, they must go to Usurers, ministerial Tools, and such like Extortioners, to sell or pledge their publick Securities; this brings such Securities to Discredit and Discount, and the more there are of them, the longer they are of being paid, the greater Discount they come to be at; so that at last they furnish a plentiful Harvest to Ministers and their Favourites; for when the Discount upon those Securities is raised to a sufficient Height, Ministers then give the watch Word to their Agents and Favourites to go out and purchase; and when they have got them all, or most of them into their Hands, then the ministerial Bowels begin to yearn for the Sufferings of the publick Creditors, in having lain so long out of their Money, and great Merit is assumed from their coming to a compassionate Resolution, to have such or such a Class of publick Creditors paid off: This House is always too good-natured to refuse such a just and benevolent Request, and thus Usurers, Extortioners, and ministerial Tools, get the full Value of those Securities which they purchased at a great Discount. This, Sir, I shall not say is the Case at present; but I must say I am apt to believe, if an Enquiry were made into the Affair, it would be found that there is but a very small Part of the Debt due upon the Navy now in the Hands of those who were originally the Creditors of the Publick; and even this, Sir, is, in my Opinion, an Enquiry not unworthy of the Representatives of the People of *Great Britain* in Parliament assembled.

But, Sir, whatever the Interest of Ministers may be, it is certainly the Interest of the Publick to pay off their Debts regularly, and as soon as possible; and as I am convinced every Gentleman now, or formerly, in this House, has, and always had, the Interest of the Publick more at Heart than the Interest of the Minister, therefore I am convinced, that if these Accounts have been upon our Table, all the other Gentlemen of the House are in the same Condition with me; they are so far from having canvassed every Article of them, that they are quite ignorant of their having been ever laid upon the Table before this Session: If any Gentleman had but cast his Eye upon such Accounts, in any preceding Session, and had observed the Arrears standing unpaid, or unprovided for by Parliament, his Regard for the Publick, his Regard for the distressed Creditors of the Publick, would certainly have prompted him to have moved to have had them taken into Consideration, and paid off long before now; nothing could have prevented it but a Neglect, which has been occasioned by its not

having been made the Concern of any particular Set of Men; and for this Reason we never ought to think it sufficient to have Accounts or Estimates laid upon our Table, we ought always to refer the Consideration of them to select Committees; and thus, by making it the particular Business of a few, we may expect they will never be neglected and overlooked, as those now before us seem to have been, by their having been left to the Care of the whole House.

I must beg Leave, Sir, to differ with the Hon. Gentlemen when they say, that the Nature of the Service is only to be regarded, when we are to determine, whether it ought or ought not to be laid before Parliament before it be undertaken; for, in my Opinion, the Sum to be laid out ought likewise to be consider'd: If the Sum to be laid out be but small, and the Nature of the Service such as of course often occurs, it may be undertaken without any particular Directions or Authority from Parliament; but if the Sum comes to be very large, tho' the Nature of the Service be such as has often occurred, and has generally been undertaken without any particular Directions from Parliament, yet such Directions become necessary when the Sum is much larger than what is usually required for that Service: His Majesty may, without Doubt, give Orders to have a Man of War, or perhaps half a Dozen in a Year, repaired; but if by the Neglect of former Times, or by any great Misfortune, it should become necessary to lay out, in any one, two or three Years, a very large Sum for that Purpose, it would then become proper to lay that Necessity before Parliament, and I think no Minister ought to undertake such an extraordinary Service without having first obtained an Authority from Parliament for so doing: In the Case mentioned, I believe it will be granted, that the building of Houses is a Service that does not often occur; and I am very sure the Sum that has been laid out, and which now makes a great Part of our Navy Debt, is a much larger Sum than was ever laid out in this Nation upon such a Service, in so small a Number of Years; nay, I do not know but it amounts to more than was ever before expended in this Nation for building Docks, or any other Sorts of Buildings for the Use of our Navy, or the Officers of our Navy; and therefore, both with respect to the Nature of the Service, and the Sum to be laid out, it ought not to have been undertaken without a previous Authority from Parliament.

Sir, if the Nation has been run into any unnecessary Expence, if any unnecessary and unprofitable Services have been undertaken, I am sorry to hear it said, that nothing has been undertaken, or any Expence incur'd without the Authority and Approbation of Parliament; but, Sir, if it were so, the Authority or the Appro-

Approbation of former Parliaments can be no Reason for our giving our Approbation of what they have approved of, or following their Example in giving our Authority for undertaking such Services for Years to come as they have authorised for Years past: We are under no greater Obligation to approve of what was approved of by the very last Parliament, than we are under to approve now of what was approved of by that Parliament in K. Charles II'd's Reign, which was called the *Pensionary Parliament*; and I believe, if a Gentleman's Steward should, by Ways and Means, obtain his Authority for, or Approbation of any extravagant and unnecessary Expence, he would be very apt, and would have good Reason to censure his Steward's Conduct, when he found himself imposed on, his Revenues all mortgaged, and his Family ruined: If it should appear that such a Steward had raised for himself an opulent Fortune upon the Ruins of his Master's Estate, his Master, or at least the next Representative of the Family, would certainly enquire into that Steward's Conduct, and notwithstanding the Authority or Approbation obtained, would as certainly, if possible, seize upon the Steward's Estate, and apply it towards the Relief of his own.

To pretend that what is now proposed will raise Jealousies and Fears among the People, or give them any Suspicions of his Majesty's Government, is an Argument which I find, Sir, is always to be brought in over Head and Shoulders, when any Attempt is made to enquire into the Conduct of his Majesty's Ministers; but I would have Gentlemen consider, that the proper Business of Parliament is to enquire into the Conduct of Ministers: It is one of the chief Ends of our meeting in this Place, and if the People find that such Attempts are always over-ruled or disappointed, it will give them a Suspicion, not only of his Majesty's Government and the Conduct of his Ministers, but it will give them likewise a Suspicion, and a just Suspicion too, of the Conduct of Parliament: We ought to consider what it was that gave the Parliament I have mentioned, in K. Charles II'd's Reign, the ignominious Epithet it is now branded with; and if the People should conceive any such Suspicion of this or any future Parliament, it would raise real Jealousies and Fears among them, it would make them despair of ever having their Grievances redressed in a legal Way, and that Despair might drive them into the most violent and terrible Methods of seeking Redress; therefore I wish Gentlemen would, upon all Occasions, distinguish a little between his Majesty and his Ministers, and never allow the Respect they may have for the latter, to over-balance the Duty they owe to the former.

The Respect that former Parliaments have shown to the Ministers for the Time being,

and the great Confidence that has for a long Time been put by Parliament in their Conduct, is, I am afraid, one of the great Causes that this Nation now remains groaning under such a Load of Debts and Taxes; and therefore it is now high Time for us to reassume a little of that Jealousy which was indulged by our Ancestors, and which has so often proved to be of the most signal Benefit to this Nation. We have been talking big, Sir, of putting ourselves in a Condition to compel the Acceptation of the Terms of Peace we are to propose, but I wish we may not find that our Neighbours are too well acquainted with our Circumstances to be afraid of any Thing we can do: They know, I am afraid, that our People are already as heavily taxed as they can with any Patience bear: They know that all those Taxes are already engaged, either for the Payment of our Debts, or for the Support of our civil Government; and when they know us to be in such melancholy Circumstances, can it be supposed that our Menaces will have a great Influence upon any of their Resolutions: But if they should find that our Parliaments were beginning to look closely into the Management of our publick Affairs, they would from thence conclude, that the best Use would be made of every Shilling hereafter to be raised, they would conclude, that the People would contribute with the more Alacrity, and from thence they will probably be induced to give some Attention to whatever we may think necessary to propose, for restoring the Peace of Europe. For this Reason, if there were no other, we ought to agree to what the Hon. Gentleman has been pleased to propose.

The Question being at last put upon the above Motion, it was, upon a Division, carried in the Negative, by 198 to 168.

The principal Speakers for this Motion were, Sir W^m W^m, S^t S^t, Esq; P^r Gⁿ, Esq; the M^r of the R^{lls}, W^m P^{ey}, Esq; and others; and those against it were Sir R^e W^{le}, H^o W^{le}, Esq; Sir W^m Y^{gs}, T^{ns} Wⁿ, Esq; C^l Bⁿ, &c.

DEBATE on the Motion for a Clause in the Mutiny-Bill.

Upon the Mutiny Bill's being reported to the House on Feb. 26, Sir W^m B^m, one of the Knights for St^e d^{shire}, stood up, and spoke to this Effect: That since the House had found it necessary to make such a large Addition to the Army, and seemed inclined to continue the severe Penalties on Deserters, and the Method of recruiting prescribed by that, and former Bills of the like Nature, he thought it was necessary to add some Clause, in order to make the Bill less dangerous to the Subject than it was as it then stood. That by a Clause in the Bill it was

proposed to be enacted, as in former Bills, that if a poor Country Fellow should inlist with an Officer and take his Money, and should afterwards, when carried before a Justice, refuse to declare himself inlisted, and take the Oaths prescribed by Law for that Purpose, it should then be in the Power of the Officer to send such a poor Fellow to Prison, and confine him in a Dungeon for a whole Month, even tho' it should appear that the poor Fellow was inveigled to inlist when he was drunk, and was willing to return the Money he had taken, and satisfy all the Charges the Officer had been at. This Power of confining a poor Fellow in a Dungeon, where he might be in Danger of starving, was, he thought, too great a Power to be intrusted absolutely in the Hands of any Officer: It was no Way necessary for his Majesty's Service, and might be of dangerous Consequence, because it might tempt some Officers to practise all the inveigling Arts they could think of, not with an Intention to recruit his Majesty's Forces, but to compel poor Country Fellows to give them a Sum of Money, by Way of Composition, for being discharged from the Bargain they had made when drunk, or in a Passion, and for being freed from the Confinement to which the Officer had by Law an uncontrollable Power to subject them; therefore he would beg Leave to offer a Clause to be added to the Bill, which was to this Effect, *That every Officer, who should hereafter inlist any Man to serve in any Regiment, should within*

Days carry the Man so inlisted before some one of the next Justices of the Peace, where the Man so inlisted should be at Liberty to declare his Dissent, and his having repented of what he had done; and upon his so doing, and returning to the Officer the inlisting Money, and the Expenses the Officer had been at by inlisting him, and carrying him before the Justice, not exceeding the Sum of

such Justice should forthwith discharge him: And that an Officer, guilty of any Failure or Neglect in this Respect, should be liable to the same Penalties to which Officers are made liable for false Musters.

This Motion was seconded by T—s Br—n, Esq; one of the Knights for the County of E—x, who informed the House, that he actually knew a Case, where a poor Fellow was inveigled when he was drunk, and when he came to be sober, he repented of what he had done, and therefore refused to take the Oaths when carried before the Justice; but the Officer insisted upon his being sent to Prison, and confined for a Month in the Terms of the Act of Parliament, tho' the poor Fellow offered to return the inlisting Money and all Charges; and it not being in the Power, or not in the Inclination of the Justice to refuse the Officer's Demand, the poor Fellow was accordingly sent to Jail,

where he remained for some Time; but having no Victuals nor Drink, he was at last compelled to go before the Justice and take the Oaths prescribed, in order to prevent his being starved in Jail.

To this it was answer'd by L—t G—l W—de, H—y B—y Esq; P—ck L—ay Esq; and W—m H—y Esq; that what was proposed by the Clause offered had already been taken Care of by his Majesty's Orders and Directions for regulating the Army; for as no Soldier could be tried for Desertion or Mutiny, upon the Mutiny Act, unless he had taken the Oaths prescribed by that Act before some Justice of Peace, therefore his Majesty had given a general Order to all Officers that no Recruit should be brought to or entered in any Regiment, till he had first been regularly inlisted, and had taken the Oaths prescribed by Law, before some of his Majesty's Justices of the Peace; so that by his Majesty's Order every Officer was obliged to do what was proposed by the Clause offered; and as the Bill then before them was of the same Nature with former Bills against Mutiny and Desertion, it would be absolutely necessary to continue the same general Order to all Officers, with respect to their carrying Recruits before some Justice of Peace, therefore they thought it was unnecessary to add any Clause for that Purpose; and it would be attended with many Inconveniencies, several of which they mentioned, particularly, that it would be often inconvenient, and sometimes impossible for an Officer to carry a Recruit before any Justice within the Time proposed, or within any limited Number of Days.

It was replied by Sir W—m W—m, Sir J—n B—d, S—l S—ys Esq; and others, to this Effect, That the very Clause then proposed had been in several Mutiny Bills during the Reign of K. William, tho' it was then in Time of War, and recruiting of course more difficult than it could be supposed to be at present. That the Hon. Gentlemen could not say, that by his Majesty's Order they had mentioned, or by any Order his Majesty could give, the Justice of the Peace was obliged to discharge the Man inlisted, upon his declaring before him his having repented of what he had done, and returning to the Officer the inlisting Money, and all the Charges the Officer had been at in inlisting him. That this was what was proposed by the Clause offered; it was proposed to lay an Obligation upon the Justice, and to give a poor Fellow an Opportunity to get off upon reasonable Terms, in case he should repent of what he had done, neither of which had been, or could be effectuated by any Order his Majesty had given, or could give for regulating the Army. That the Grievance complained of was, the inveigling of Men to inlist, and making a Property of them after their having been so inveigled; and

and this was a Power or Privilege which they hoped no Officer would insist on: The abolishing of this Power or Privilege was what was chiefly aimed at by the Clause offered, and therefore they hoped the House would agree to it.

Sir R—t W—le and H—y P—m Esq; having at last declared, that they would be for the Clause, if it was not, or could be so fashioned as not to be, attended with any great Inconvenience to the Service; they therefore proposed, that the Debate should be adjourned till next Day, in order that such a Clause might be contrived as might prevent the Grievance complained of, without being attended with any great Inconvenience to the Service: And it being admitted of the other Side, that the Clause, as it then stood, might perhaps stand in Need of some little Amendment, it was agreed to adjourn the Debate till next Day; when the Clause as it now stands in the Mutiny Act was agreed to, and added to the Bill.

DEBATE on the Motion relating to the Denmark Treaty.

On Feb. 28. the House of Commons having (according to Order) resolved it self into a Committee, to consider further of the Supply granted to his Majesty; and the Treaty with Denmark, dated Sept. 30. N. S. being the 19th, O. S. 1734, having been referred to the said Committee, a Motion was made as follows, *viz.* 'That it was the Opinion of that Committee, that the Sum of 56,250*l.* should be granted to his Majesty, on account of the Subsidy payable to the King of Denmark, pursuant to the Treaty bearing Date the 19th Day of September, 1734, for the Service of the Year 1735.' This occasioned a long Debate, in which many of the Arguments for and against the Augmentation of our Sea and Land Forces were here again repeated; (see p. 457, 517.) We shall therefore now give only that Part of this Debate which relates particularly to the Treaty.

The Argument for the Motion was to this Effect, *viz.*

Sir, altho' we are not engaged in the present War, nor have any particular Interest for inducing us to engage in it, yet as the Balance of Power in Europe depends very much upon the Event of the present War, we do not know but we may be soon brought under a Necessity of joining one or other of the Parties now engaged in War, in order to preserve the Liberties of Europe, and consequently our own; therefore it is incumbent upon us to provide in Time, and to strengthen ourselves before-hand, not only by increasing our Forces at Home, but by engaging as many foreign Powers as we can to join with us upon any such Event. In such a Situation, it was natural for us to cast our Eye first towards Denmark, because the Interest of that Nation is generally the same with our own; and on the present Occasion it

was the more necessary, because great Endeavours were making use of to have engaged that Court upon the other Side of the Question; so that if we had not taken Care to have engaged that Nation in an Alliance with us, it was very probable, and very much to be apprehended, that a certain other Power might have succeeded in their Endeavours for engaging that Nation in their Interest, which might have proved of the most fatal Consequence to the Liberties of Europe, and consequently to those of this Nation.

The Experience of the last two Wars against France may convince us, Sir, how dangerous it is to allow any of the Powers of Europe to exalt itself too much, and how expensive it may prove, to reduce a Power that has once got too great an Ascendant over its Neighbours: This, Sir, engaged his Majesty's Attention as soon as the War broke out, and he has been ever since using all his Endeavours, in Conjunction with our Allies the Dutch, to reconcile the Differences now subsisting in Europe, and to put an End to the present War, by a just and a reasonable Peace, before either Side should become so formidable by Success and Conquest, as to make it necessary for this Nation to engage in the War, in order to reduce that Power which the Fortune of War had begun to make formidable. In Pursuance of his Majesty's gracious and wise Intention, a Plan of Peace has already been offered to the Parties engaged in War, and the only effectual Way for rendering his Majesty's Endeavours successful, by the Acceptance of this Plan, was, to render ourselves formidable by our foreign Alliances, as well as by the Augmentation of our own Forces both by Sea and Land; for by so doing we rendered it dangerous for either of the Parties engaged in War to attempt to amuse us with Negotiations, or to shew themselves obstinate, in refusing to give Ear to those just and honourable Terms of Peace, which his Majesty and his Allies were preparing to offer them.

The Expence, Sir, which this Nation is to be put to, by Means of this Treaty with Denmark, must appear but very inconsiderable to every Gentleman who considers, that we thereby not only secure the Friendship and Assistance of a very powerful Kingdom, but prevent their being engaged against us, in case the future Event of the War should make it necessary for us to join the other Side; and in all Cases either of a publick or a private Nature, it is certainly the Height of Wisdom and Prudence, upon any Emergency, to lay out a small Sum of Money, when it is probable we may by so doing prevent our being afterwards brought under a Necessity of putting ourselves to an immense Expence, and risking perhaps all that we are worth in the World. This, Sir, is the very Case at present in relation to our Treaty with Denmark;

for we may probably, by that Treaty, prevent the Continuance of the War, or at least we may prevent either Side's pushing their Conquests so far, as to make it dangerous, and yet necessary for us to engage against them.

It is well known, Sir, that Nations are, in all their publick Transactions, entirely governed by their own Interest; and as we knew, as all *Europe* knew that great Offers were making to *Denmark*, in order to engage them on that Side, against which we might soon find ourselves under a Necessity to engage, therefore it became absolutely necessary for us to step in seasonably, and to offer them such Terms as might convince them, that it was more their Interest to join in an Alliance with us, than with either of the Parties engaged in War: I must therefore think, that the concluding this Treaty was one of the most prudent Steps his Majesty could take, and the Conditions on our Part are so reasonable and so easy, that I think every Gentleman in this House must approve of them, and that therefore the Motion now made to us will be agreed to without any Opposition.

The Answer to this was in Substance as follows, *viz.*

I am glad, Sir, to hear that we are as yet no Way engaged in the War, and that we have no particular Interest for inducing us to engage; for if it be so, I am sure it is ridiculous in us to put the Nation to a great Expence, in order to provide against a Danger which may probably never happen. If we have nothing for inducing us to engage, but only the Danger the Balance of Power in *Europe* may be in by the Event of the War, we might have saved ourselves a great deal of Expence, and may rest easy and quiet till one of the Parties now engaged in War begins to push their Conquests so far, as to endanger the Balance of Power; then, and not till then, will it be necessary for us to engage, and till then it is quite unnecessary for us to put ourselves to any Expence: Nay, it is not only unnecessary, but very imprudent in us to precipitate ourselves into an Expence, before any Danger appears, because it is wasting the Strength of the Nation before we come to engage the Enemy, before the Enemy so much as appears in View.

As we have no particular Interest of our own for inducing us to engage in the present War, as we can have no Reason for engaging in it, but only from the Danger the Balance of Power may come to be in by the Event; in this Event, Sir, all the Powers of *Europe* are concerned; they are all as much, and more, interested in the Preservation of that Balance than we are; and if it should come to be in any real Danger, they would certainly engage in its Defence, without receiving

any Bribe or other valuable Consideration from us; but if we should thus make ourselves the *Don Quixots*, or rather the Dupes of *Europe*, if we should be always the first to take the Alarm upon any War's breaking out, and should run about among the Powers of *Europe*, offering Bribes and Pensions to all the Princes and all the Ministers of State in *Europe*, the whole Charge of preserving that Balance would fall upon this Nation, and every Prince and Minister in *Europe* would, upon every such Occasion, expect a Bribe or a Pension from *England*, for doing that which he would otherwise be obliged to do for his own Preservation: Even the *Dutch*, who were the first that possessed us with that Notion of preserving the Balance of Power, which has already cost this Nation such incredible Sums of Money, may at last refuse to assist, when the Balance of Power is really in Danger, unless we submit to make the grand Pensionary of *Holland* a Pensionary of *England*, and to take a great Number of their Forces into *English* Pay.

It is really surprizing, Sir, to hear Gentlemen talk of the Balance of Power's being at present in Danger, and that we must already begin to provide, and to put the Nation to a great and immediate Expence for its Preservation, when there is not a Prince or State in *Europe*, who seems to apprehend that it is in the least Danger: The *Dutch* are so far from being apprehensive of any such Thing, that they have not put themselves to one Shilling Expence on account of the present War, or on account of that Mediation which they are engaged in as well as we: The Princes and States of *Germany*, who would certainly be the first Sacrifices to the Overturning the Balance of Power in *Europe*, are so far from being apprehensive that it may be in Danger by the Event of the present War, that some of the most considerable of them have actually engaged in a Neutrality with respect to the present War, and not one of them, but the Emperor only, has exerted, or is preparing to exert his whole Strength in Defence of the Empire: Even the King of *Denmark*, whom we have thought it necessary, it seems, to engage by a considerable yearly Pension, is himself a Prince of the Empire, and would certainly suffer by the Overturning the Balance of Power in *Europe*, much sooner than it can be supposed this Nation could suffer, and therefore we must conclude, that it is more immediately his Interest to engage, not only in Defence of the Balance of Power but in Defence of the Empire; yet we, it seems, have been so generous as to promise to reward him bountifully for doing what is absolutely necessary for his own Preservation. This, Sir, is a most pernicious Example, it may at last bring the Balance of Power into real Danger, because it may tempt all the Princes of *Europe*

Europe to neglect it, until we submit to be so ridiculous as to grant them yearly Pensions for taking Care of it; and I do not know but this very Precedent has now provoked all the other Princes of *Germany* to stand aloof, on Purpose to engage us to extend our Bounty in the same Manner to each of them.

To tell us, Sir, that if we had not entered into this Treaty with the King of *Denmark*, he might have been prevailed on to have concluded a Treaty with a certain other Power, which might have been prejudicial to us, is, in my Opinion, something very odd; for we must suppose, either that we had no Occasion to enter into any Treaty, or we must suppose that the King of *Denmark* would have entered into no Treaty which could have been prejudicial to us: If the Balance of Power was not like to be in any Danger, we had no Occasion to enter into any Treaty, and if it was like to be in Danger, we cannot suppose that *Denmark* would have concluded any Treaty, contrary to that natural Engagement they have to preserve it; much less can we suppose that they would have concluded any Treaty, by which it might have been brought into Danger. Princes, 'tis true, Sir, do not always see their real Interests, but if we resolve upon every Occasion to clear their Eyesight by a Bribe or a Pension, I am afraid none of them will ever open their Eyes without receiving some such Remedy from us. We are never to suppose that any Prince of *Europe* will engage against the Liberties of *Europe*, or will perform any former Engagement, when the Performance comes to be apparently inconsistent with the Liberties of *Europe*, and consequently with his own Independency, unless he be very much blinded and mis-guided by some private and particular Interest of his own; and of all the Princes of *Europe* the King of *Denmark* is, in this Respect, the least liable to any Temptation: There are several other Princes of *Europe* who may be tempted to join with those who may have Designs against the Liberties of *Europe*; because they may be made from thence to expect some Addition to their own Dominions; and these are the Princes upon whom we ought to have a watchful Eye; these are the Princes, if any, upon whom we ought to bestow our Bribes and our Pensions, in order to keep them firm to the general Interest of *Europe*: If we had by any Subsidy or Pension engaged the Duke of *Bavaria* in an Alliance; if we had by any Subsidy or Pension disengaged the King of *Sardinia* from his present Allies; or if we had laid out a Sum of Money in engaging the *Polanders* to make such a Choice of a King as would have prevented the Breaking out of the War (and perhaps a less Sum might have done than the Expence we have already been at on Account of the War) there might have been some Reason for our being

at such an Expence; but I can see no Reason for, nor any additional Advantage we can expect from, the Expence we are to be at on Account of this Treaty with *Denmark*.

I shall readily agree with the Hon. and Learned Gentleman, that Nations are entirely governed by their own Interest: Nay further, I shall admit, that even private Men are very much governed by what they think their own Interest; but as it is the Interest of *Denmark*, as much as it is the Interest of this Nation, to preserve the Balance of Power in *Europe*, therefore I must think it was quite unnecessary for us to give them a Fee for doing so: I shall indeed grant, that they were in the Right to take it, since we were so generous as to offer it; for, I believe, few private Men will refuse to take a Fee, for doing that which it is both their Duty and Interest to do without any Reward: All I shall, or indeed can reasonably, wish for in such a Case, is, that no Prince or private Man would allow himself to be engaged by any Reward or Promise, to do that which is contrary to his Duty, and really, if he considers it right, inconsistent with his own Interest: And as I have a great Opinion of the Honour and the Penetration both of the King and the Ministers of *Denmark*, I must conclude, they would never have entered into any Engagements that were inconsistent with the Liberties of *Europe*, I must conclude they will always be ready, without any Fee or Reward, to join with all their Force in the Preservation of the Balance of Power, whenever it shall appear to be in any real Danger; consequently I must conclude, that it was altogether unnecessary for us to enter into any such Treaty as that now before us, or to promise any such Subsidy as is by that Treaty stipulated; and therefore, as one of the Representatives of the People, as one of those to whom they have intrusted the Management and the laying out of their Money, in the most frugal Manner, I cannot agree to put them to such an unnecessary Expence as what is now proposed.

To this it was replied in Substance as follows, viz.

Sir, I shall readily agree with the Hon. Gentlemen, that it will be quite unnecessary for us to engage in the War, till one of the Parties now engaged begins to push their Conquests so far as to bring the Balance of Power into Danger; but I cannot admit that till that Event happens it will be quite unnecessary to put ourselves to any Expence: On the contrary it would in my Opinion, be very imprudent in us, not to prepare for such an Event, when every one must see that it may probably happen; and we can make no Preparations without putting ourselves to some Expence. If we should be altogether unprepared

pared when that Event happens, the prevailing Power might push their Conquests so far, before we could make sufficient Preparations for putting a Stop to them, that it might be out of our Power, with the greatest Preparations we could make, to prescribe Bounds to their future Designs, or to oblige them to restore any of their Conquests: Whereas by providing in Time, we shall not only be able to say to them whenever we have a Mind, Hitherto we have allowed you to come, you shall go no further; but we may very probably prevent any such Event's ever happening; because the Successful being sensible of our Readiness to give them a Check, they will of course limit their Views, and not push their Conquests so far as to bring the Balance of Power into any Danger.

The only two Ways of providing, either for our own Defence, or for the Preservation of the Balance of Power, in case it should be brought into Danger, is by increasing our Forces by Sea and Land at home, or by concluding Treaties and forming Alliances with neighbouring States; and this last is the most necessary, and ought to be first undertaken; because without previous Alliances, we cannot have the Assistance of our Neighbours as soon as we stand in Need of them, and if we do not take Care in Time to engage them in our Interest, they may happen to be prevailed on to engage with our Enemies, or with those who may soon after come to be our Enemies. This is our very Case at present, and was more particularly our Case with respect to *Denmark*; for however much it may be their Interest, to join with all their Force in preserving a Balance of Power in *Europe*, yet if we had not concluded this Treaty with them, it was very probable they would have been drawn into Engagements which might soon have come to have been inconsistent with the Liberties of *Europe*; and if they had been once drawn into such Engagements, it would not have been so easy a Matter to get them disengaged, and much less to prevail with them to act contrary to those Engagements.

'Tis true, Sir, all the Princes and States of *Europe* are as much interested in the Preservation of the Balance of Power as we are; but if some of the Princes of *Europe*, from private Views of their own, should be drawn in to assist in Overturning that Balance, or if some of them from Fear, or from other Motives, should resolve upon a Neutrality, or should continue inactive and indolent when the Liberties of *Europe* are in the utmost Danger, are we to do the same? Or if, by laying out a little Money, we could prevent their entering into any such Engagements; if by granting them a few small Subsidies we could rouse them from their Indolence, and render them active and resolute in the Preservation of our common Liberties, would it be prudent in us

to act a penurious Part upon such an Occasion; and by refusing to give a Part of what we have, expose ourselves and all we are worth in the World to inevitable Ruin? Such an unseasonable Parsimony, I hope, no Gentleman will contend for, and therefore it must be granted, that when the Liberties of *Europe* are in Danger, or are like to be in Danger, we must endeavour to unite the Princes and States of *Europe* in their common Defence; and if this Union cannot be effectuated, without our giving some Bribes or Pensions, it must be done; for of two Evils the least is always to be chosen. The Expence we are to be at by the Treaty now before us is, 'tis true, an Evil, but every Man must grant, that it would have been a much greater Evil to have had *Denmark* engaged against us, in case we should hereafter find it necessary to take a Share in the War: This I am so fully convinced of, that I believe if the Case should have happened, the neglecting of *Denmark* upon such an Occasion, the not making such a Treaty as that now before us, would have been highly exclaimed against, and would have been called an unpardonable Blunder. For this Reason I cannot but approve of the Treaty, and therefore I cannot but agree to the Motion.

To this it was added by the M---r of the R---lls and J---n H---we, Esq; who were for agreeing to the Motion, That they approved of the Treaty as little as any Gentlemen did: That tho' they thought it was altogether unnecessary to put the Nation to such an Expence till the Danger became more apparent; yet as it was the first Treaty his Majesty had concluded upon the present Emergency, they would agree to the Motion; because if that House should disagree with what his Majesty had done with respect to that Treaty, it might be, at such a Conjunction, of the most dangerous Consequence to the Liberties of *Europe*, by encouraging the ambitious Views which some of the Parties engaged in War may now have, or hereafter form to themselves, and by discouraging any of the Princes or States of *Europe* from entering into, or concluding any Treaties with his Majesty, even tho' the Circumstances of *Europe* should then absolutely require such Treaties to be concluded.

The Question being at last put for agreeing with the Motion, it was, upon a Division, carried in the Affirmative, by 270 to 178.

The chief Speakers in favour of this Motion were, Sir R---t W---le, Sir W---m Y---ge, H---o W---le Esq; T---s W---n Esq; C---l B---n, and Mr. A---y G---l, &c. and the chief Speakers against it were, Sir W---m W---m, W---m P---y Esq; Sir J---n B---d, S---l S---y Esq; W---m S---n Esq; and Sir J---n H---d C---n, &c.

DEBATE on the Motion for an Order relating to Elections.

On March 7. T—s B—n Esq; moved the House of C—ns as follows, viz. ' That the Clause of an Act made the second Year of his present Majesty's Reign, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Elections of Members to serve in Parliament*, which relates to the last Determination in the House of Commons, concerning Votes for Members to serve in Parliament for any County, Shire, City, Borough, Cinque-port, or Place; with the Clause relating to the Oath to be taken by returning Officers, should be read; and the same having been read accordingly, he then moved as follows, viz. ' That the Counsel at the Bar of this House, or before the Committee of Privileges and Elections, be restrained from offering Evidence, touching the Right of Election of Members to serve in Parliament for any City, Borough or Place, contrary to the last Determination in the H. of Commons; which Determination, by an Act passed in the second Year of his present Majesty's Reign, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Elections of Members to serve in Parliament*, is made final to all Intents and Purposes whatsoever, any Usage to the contrary notwithstanding.'

The Argument for this Motion was as follows:

By the Clause of the Act now read to you, Sir, it appears, that the last Determination of the House of Commons, with regard to the Right of voting at any Election, is declared to be final to all Intents and Purposes whatsoever, any Usage to the contrary notwithstanding; so that in all future Disputes about any Election for the same Place, the last Determination of the House of Commons is the Rule by which the Right of voting is to be determined, and against which no Arguments, nor any Proof can be admitted: This I take to be now the Law of the Land, and consequently is binding as well upon this House, as upon every Gentleman who has been since that Act, or may hereafter be concerned in any Election.

At all Times, Sir, and particularly in such a dangerous Conjunction as the present, it is incumbent upon us to establish as generally as possible among the People, a good Opinion of the Impartiality, Integrity, and Justice of this House in all our Resolutions, and in all our Proceedings. With Respect to State Affairs, especially such as relate to foreign Transactions, the Facts are not publicly known, nor can the Motives or Arguments for or against any Question relating to them be understood by the Vulgar, and therefore in such Questions it is not easy for the People in gene-

ral to comprehend the Debates; nor would it be possible for them to discover the Injustice or the Partiality of our Proceedings, were it possible for this House to be guilty of any such; but in all our Proceedings relating to Elections, the People in general, or at least those who live in the Neighbourhood of the Place, where any Dispute happens about an Election, know every Circumstance, and are as capable to judge of the Motives or Arguments for or against most of the Questions that occur upon such Occasions, as any Member of this House; and when the People observe a Variety and Contradiction in our Determinations relating to such Affairs; when they observe the Right of voting at an Election given by this House to one Sort of People, and in the very next Session perhaps, that Right determined by this House to be in a quite different Sort of People, they must conclude, that the Determinations of this House in relation to that Affair did not proceed from Justice and Impartiality, but from private Interest, or from Party Zeal. This is the Conclusion they must necessarily form with respect to those Affairs they know, and can judge of; and the Misfortune is, that they from thence naturally conclude, that our Proceedings are governed by the same Motives in those Affairs which they do not know, nor can judge of.

To prevent an Effect so dangerous to our Constitution was, I believe, Sir, one of the chief Motives for inserting the Clause now read to you in that Act of Parliament, and Care has been taken to express it in Terms so strong and explicit, that it cannot in my Opinion be evaded by any Artifice or Subterfuge. It is now the Law of the Land; a Law so reasonable, that I hope it will never be altered or repealed; and a Law so plain, that I can make no Doubt, but that the last Determination of the House of Commons will, for the future, be, in all such Cases, an infallible Rule, a Rule from which we cannot depart. However, Sir, as some Gentlemen are not sufficiently apprised of this Law, or may entertain Hopes that this House will not, in their future Determinations, strictly adhere to it, they may therefore put themselves to great Expence in bringing up Witnesses, and may take up a great deal of your Time with Arguments, to shew that the Right of voting at any Election now disputed, is not in those People, or in those People only, in whom it was declared to be by the last Determination of this House; which will be a putting themselves to great Expence, and taking up the Time of this House to no Purpose, since the last Determination of the House of Commons is now by Law established as a Rule, from which we cannot depart, notwithstanding the clearest Proof of any Usage to the contrary.

As we ought, Sir, to prevent Gentlemen putting themselves to any needless Expence, as

we ought to prevent their attempting to take up the Time of this House to no Purpose, therefore I think this Law ought to be some way revived, not only to put Gentlemen in mind of it, but to shew them that we are resolved to adhere to it in the strictest Manner; and as the only proper Way for us to revive any Law, is by coming to some new Resolution in relation to it, therefore I hope the House will agree to the Motion I am to make, which is, That it may be ordered, that the Counsel at the Bar, &c. (as above).

To this it was answered thus, *viz.*

Sir, I must own, I have not lately considered the Clause now read to you, and therefore am not prepared now to speak to it, or to give my Opinion for or against the Motion which the Hon. Gentleman has been pleased to make; but upon the first View, I take the Motion to be of the utmost Consequence, because I look upon it as an Attack, or rather a Restraint, designed to be put upon the Power and Jurisdiction of this House in the most material Point, which is that of determining finally all Questions relating to electing the Members of our own House. I really never imagined, nor could indeed have believed, that the Intention of that Act, or of any Clause in it, was to limit or restrain the House of Commons, with respect to their Determinations in Matters of Election; for in all such Determinations I think we ought not to be under any Limitation, nor confined by any Rule; and if there had been any such Intention, I believe this House would never have agreed to the Bill, or at least that Clause by which any such Restraint was intended to be laid upon the House.

It is for this Reason, Sir, that I have always imagined, and still think, that the Clause now read to you relates only to Sheriffs, and other Returning Officers, and was designed as a Direction to them, what Sort of Persons they were to admit to vote or poll at any Election, with respect to which they were by this Clause obliged to take the last Determination of the House of Commons, as a Rule to be inviolably observed by them at all succeeding Elections. This, Sir, I must still think, according to the View I have of it at present, is all that is designed by the Clause; for it is certain, that if in all future disputed Elections, we were to take the last Determination of this House as an infallible Rule for our Conduct, a very great Injury would thereby be done to a great many Cities and Boroughs in *England*; and I cannot imagine that it was ever the original Intention of any Act of Parliament to do an Injury to any one, much less to great Numbers of his Majesty's Subjects.

However, Sir, as I have not lately read or considered the Act, I will not now pretend to

be positive in my Opinion, and therefore I hope the Hon. Gentlemen will agree to put off the Consideration of this Motion to some short Day, to *Monday* next if they please, that other Gentlemen as well as myself may have Time to consider it, before we are obliged to give our Opinion in a Case which is certainly of very great Consequence.

It was replied as follows, *viz.*

Sir, As I had the Honour to be a Member of this House when that Act had the good Fortune to pass, I well remember the History of this very Clause. This Clause was not originally in the Bill, but was put into the Bill by the other House, and was put in, I believe, with a View to prevent the Passing of the Bill; or at least that this was the Intention of those who first contrived and inserted this Clause: For they imagined that this House would never agree to such an Amendment; but when the Bill came back to this House, the Gentlemen who promoted the Bill were so justly fond of it, that they chose to agree to all the Amendments made by the other House, and this among the rest, rather than lose so good a Bill. Indeed as to this Clause they had another, and a very good Reason for agreeing to it; for tho' it did lay some Restraint upon the Jurisdiction of this House in Matters of Election, yet the Majority of the House then thought it a reasonable Restraint, and even a necessary Restraint, in order to prevent, in Time to come, that Variety and frequent Contradiction in our Determinations with respect to Elections, which had in Time past greatly contributed to the giving the Generality of the People a contemptible Opinion of all the Proceedings of this House.

The Clause now read to you, Sir, is so full, and conceived in Terms so plain and easy to be understood, that I am surprised to hear any Gentleman desire one Hour to consider it, before he agrees to the Motion now made to you; but I am still more surprised to hear any Gentleman, especially a Gentleman who has often attended the Committee of Elections, say, he imagined this Clause was intended only as a Direction to the Sheriffs and other Returning Officers, with respect to what Sort of People they were to admit to vote or poll at any Election. This, Sir, I am surprised to hear said by any Gentleman who has ever attended the Committee of Elections; because this very Direction was given by Act of Parliament many Years ago to all Sheriffs and Returning Officers: So long ago as since, I believe, the 8th Year of K. *William's* Reign, all Sheriffs and Returning Officers have been prohibited, by an Act then made, to return any Member to serve in Parliament, contrary to the last Determination in the House of Commons, as to the Right of Election for such

such Place; and therefore it would have been quite unnecessary, it would have been ridiculous to have inserted in a late Act such a Clause as that now before us, if no more had been intended by it, than to give the same Directions to Sheriffs and other Returning Officers, which were given to them by a former Act then in full Force: But, without any such Consideration, the Clause before us is in itself so clearly expressed, that it is impossible to mistake its Meaning; and as the Hon. Gentleman intends nothing by his Motion, but to prevent Gentlemen putting themselves to a needless Expence, and giving this House an unnecessary Trouble, I can see no Reason why we should make any Difficulty in agreeing to what he has proposed.

Can Gentlemen be serious, Sir, when they say that this House is not to be confined by any Rules, that we ought not to be under any Limitation or Restraint, with respect to our Determinations about the Election of our own Members, and that this House would never have agreed to the Clause, if any such Thing had been intended. Our Determinations in such Cases are, 'tis true, supreme and final; but surely, Sir, even in such Cases we are limited and confined by the Rules of natural Justice and Equity, and likewise by the ancient Customs and the Laws of the Kingdom. Let a Court of Judicature be as absolute and supreme as can be imagined, yet I should have a very bad Opinion of the Judges of that Court, if they confined themselves to no Rules, nor even to those Laws they themselves had before made for their future Conduct. I do not know but some of the Cities and Boroughs of England may have been injured by the last Determination of this House, and if there were any such, we must grant, it was a Hardship upon them, to make that injurious Determination absolute and final as to them in all Time to come; but if there were any such injurious Determinations made by this House, it was necessary by a Law to put a Stop to them, and the more there were of them, the more necessary it was to make such a Law, in order to prevent any such in Time to come. The Hardship is already put upon them; the Law is already passed; it is now one of the established Laws of the Kingdom, and cannot therefore be altered or amended by any Resolution or Determination of this House: It is not the first Time that a Hardship has been put upon particular Men for the Good of the Society in general; but in this Case, if any City or Borough has been injured by the last Determination of the House of Commons, and that Injury fix upon them by the Law now under our Consideration, they may apply to Parliament for Relief, and will certainly obtain an Act of Parliament for that Purpose, which is the only Method by which they can now be re-

lieved; so that the Hardship that has been put upon them can be of no Weight, it cannot indeed so much as come under our Consideration in the present Question.

However, Sir, tho' I do not think it at all necessary to take a Day to consider of the present Motion, yet I shall not be against it; because I wish it were made a standing Order of this House, that no Motion should be taken into Consideration or agreed to the same Day it is made: For this Reason I shall not be against adjourning the Debate till Monday, according to the Hon. Gentleman's Desire, and I agree to it the rather, because I hope when the Motion has been fully and maturely considered, it will be unanimously agreed to: But, on other Occasions, I hope those Gentlemen will shew the same Complaisance to others, and will not insist, that any Motion they may hereafter think fit to make shall be immediately taken into Consideration; for if this should be made a Rule for one Side, and not for the other, it would be as partial a Method of proceeding as was ever practised by former Parliaments in their Determinations about Elections.

Accordingly it was ordered, that the further Consideration of that Question should be adjourned to Monday Morning next, when the Motion was amended thus: 'That the Counsel at the Bar of this House, or before the Committee of Privileges and Elections, be restrained from offering Evidence, touching the Legality of Votes for Members to serve in Parliament, for any County, Shire, City, Borough, Cinque-Port or Place, contrary to the last Determination in the House of Commons: Which Determination, by an Act passed in the second Year of his present Majesty's Reign, intitled, *An Act for the more effectual preventing Bribery and Corruption, in the Election of Members to serve in Parliament*, is made final to all Intents and Purposes whatsoever, any Usage to the contrary notwithstanding.' And then it was agreed to without any further Debate.

The principal Speakers upon this Occasion were, For the Motion, T—s B—n, Esq; S—I S—ys, Esq; W—r P—r, Esq; and the M—r of the R—lls. For delaying the Motion, H—c W—le, Esq; H—y P—m, Esq; and Sir W—m T—ge.

DEBATE in the H. of Lords, on the Motion for calling for the Instructions to his Majesty's Minister in Poland.

On March 6. a Motion was made in the House of Lords, 'That an humble Address should be presented to his Majesty, that he would be graciously pleased to give Direction, that the several Instructions to Mr. Woodward, his Majesty's Minister in Poland, R 2

* land, in the Year 1729, should be laid before the House. This Motion occasioned a long Debate; but as we have before given the Debate upon the same Motion, made the preceding Session in the House of Commons, * we shall abridge our Account of this as much as possible.

The Argument for the Motion was to this Effect, *viz.*

My Lords, As we are many of us, by our Birth, and all of us, by those Honours which our Kings have conferred upon us or our Ancestors, not only intitled, but obliged to give his Majesty our best and most sincere Advice in all arduous Affairs, one of the chief Ends of our meeting in this House is to consider the State of the Nation, both with respect to foreign and domestick Affairs, in order to give our King, upon every considerable Emergency, that Counsel which we think may tend most to his Glory and the Interest of the Nation; for which End it is necessary for us to have all those Treaties, Negotiations, and other Papers laid before us, which may be necessary for our Information in any Affair, in which it may be incumbent on us to give our Advice; and for this Reason it has always been the Custom and the Right of this House, to call for all such Papers, and to consider them deliberately, before we ever offered to give our Advice to the Crown.

I believe, my Lords, it will be granted, that with respect to our foreign Affairs, there never was a more critical Conjunction than the present, there never was a Conjunction when it was more necessary for us to consider the State we are in, or more incumbent upon us to offer our best and our sincerest Advice to our Sovereign; nor was there ever a Conjunction when the King could stand more in Need of honest and upright Counsel: The Eyes of all Europe are now fix'd upon the Behaviour of Great Britain, and by our Behaviour in the present Conjunction, both the Honour and Interest of the Nation, nay even the Liberties of Europe, may be either sacrificed or preserved. In such a Conjunction, can we perform our Duty to our Country or our King, can we answer one of the chief Ends of our meeting in this House, without examining into the State of our foreign Affairs, and offering our most deliberate Advice to our Sovereign: Upon such an Occasion, we are not to wait till his Majesty shall be prompted by those about him to ask our Advice; because if by them he has been misled in any former Steps, we may depend on it they will endeavour as much as they can, to divert his Majesty from applying to Parliament for Counsel, when they are certain, that by such an Application their Conduct would come to be examined into and highly censured: No, my Lords, this House is his

Majesty's highest and most natural Council; we are in Duty bound to give him our Advice upon every important Emergency; and upon an Emergency of such Importance as the present, his Majesty's having made no Application to this House for Advice is, with me, a strong Argument that he has been misled in some late Measures by those about him, and that by them he is diverted from applying where he is always sure to meet with honest and upright Counsel; and therefore I must think we have the greater Reason to enquire into the present State of our Affairs, and offer that Advice which shall appear the most consonant to our present Circumstances.

This Consideration, my Lords, makes it the more necessary for us speedily to offer his Majesty our Advice upon the present Posture of Affairs in Europe; and as in this we cannot pretend to give any Advice, without being fully informed as to the Sources and Causes of the present War, it is therefore absolutely necessary to have laid before us all the Papers relating to our late foreign Transactions. Among the many foreign Transactions we have been lately engaged in, those relating to Poland are at present the most necessary for us to enquire into, because the late Transactions in that Kingdom are said to have been the sole Cause of the present War, therefore it is impossible for us to give any Advice about the present Posture of Affairs in Europe, without examining whether we had any, and what Share in those Transactions; and as in the Year 1729, the late King of Poland was dangerously ill of the Distemper of which he afterwards died, as every one even then judged his Life could not be of any long Continuance; and as every one likewise judged, that his Death might very probably produce a Combustion in Europe, it is very reasonable to suppose that Measures for the Election of a future King were then begun to be concerted, therefore I think we ought to know whether we had any Share in those Measures, before we offer any Advice to his Majesty upon the present Posture of Affairs; for which Reason I shall beg Leave to make as modest a Demand as can well be made in the present Conjunction, which is, That an humble Address, &c. (as before-mentioned.)

To this it was answered in Substance as follows, *viz.*

My Lords, I shall agree with the noble Lord, that this House has a Right to call for any Papers that may be necessary for our Information, with respect to any Affair we are or ought to enquire into; but to the Honour of this House, my Lords, I must add, that that Right has been always hitherto used with great Prudence and Caution: We have never yet called for any Papers by which the Secrets

of the Government might be any Way divulged, or the Affairs of the Nation brought into any Distress.

Upon the present Occasion, my Lords, if his Majesty had found it necessary to apply to this House for Advice, he would certainly have done so, and he has too much Penetration to allow himself to be diverted by those about him, from doing what may be necessary upon any Emergency, either for his own Glory or the Interest of his People: But from what his Majesty has told us from the Throne, we may easily see the Reason why he has not as yet made any such Application: His Majesty has told us, that he was no Way engaged in any of those Measures which gave Occasion to the present War, and consequently he can have no manner of Concern in it, unless some of the Parties engaged should begin to push their Conquests, or their Views, further than is consistent with the Preservation of the Balance of Power in *Europe*: Whenever this happens, it will become necessary for this Nation to interfere; and in any such Event, we need not doubt but his Majesty will take all proper Methods to have the best Advice; but as any such Event must necessarily involve this Nation in great Danger and Expence, therefore his Majesty is now pursuing that which will redound most to his own Glory, and to the Safety and Advantage of the Nation, he is endeavouring to put an End to the War by a solid and lasting Peace; and as he is now acting the Part of Mediator between the two contending Parties, as he has already offered to them a Plan of an Accommodation, it is necessary for him to keep in as good Terms as possible with all the Parties engaged, till he shall see what may be the Event of that Plan.

Tho' I do not know, my Lords, nor do believe that any of the Powers now engaged in War, can have just Reason to be displeased with the Part this Nation acted, with respect to the Affairs in *Poland* in the Year 1729; yet if all the Instructions and Letters sent to our Minister in *Poland* at that Time, and all his Letters from thence should be made publick, I do not know but some one or other of the Powers now engaged in War may find Fault with some of them, which would of course very much embarrass his Majesty's Negotiations, for restoring the Peace of *Europe*, and thereby preventing this Nation's being involved in a dangerous and expensive War, if not render them altogether ineffectual. I hope the Instructions and the Letters now moved for, were as wisely drawn up, and as cautiously worded as it was at that Time possible; but it was impossible to foresee all the various Events which have since happened; and had these Instructions been drawn up by the wisest Ministers that ever were in this or any Nation, it is not to be supposed but that there may be some Expressions in them which may

disoblige some of the contending Powers, or may at least render some of them jealous and suspicious of his Majesty's Impartiality at present, which of Consequence may very probably disappoint those Measures his Majesty has now concerted for restoring the Tranquillity, and preserving the Balance of Power in *Europe*.

A With regard, my Lords, to the Transactions in *Poland* in 1729, we must suppose that our Minister had Instructions to favour the Party for *Stanislaus*, or the Party for the then Electoral Prince of *Saxony*, or that his Instructions were to favour neither of the Parties that then began to appear in *Poland*; but to watch the Motions and Measures of each of them, without declaring on one Side or the other. If his Instructions were to favour the Party for *Stanislaus*, the publishing of them would then certainly disoblige all those who are now engaged to support the Election of the present Elector of *Saxony*; and if his Instructions were to favour the then Electoral Prince, now Elector of *Saxony*, the publishing of them would, in the present Conjunction, as certainly disoblige all those who are now engaged to support the Election of *Stanislaus*: In either of which Cases a Jealousy would be raised against his Majesty, which would probably disappoint the Plan lately concerted for an Accommodation.

But, my Lords, suppose that the Instructions given to our Minister then in *Poland* were, to act an exact neutral Part; yet we cannot well suppose them so cautiously penned, but that one Side or other may take Exceptions to them, which would diminish in some one or other of the Parties now engaged in War, that Confidence which they at present repose in his Majesty, and which it is necessary to keep up, in order to render his Majesty's Mediation successful: And if we could suppose them so cautiously penned as not to give the least Offence; upon such a Supposition it must be granted, that we can expect no Information from them in relation to the present War: We cannot from thence discover what were the Springs and the Causes of the War, which may be very different from those publickly assigned; and if the whole Truth were known, I am apt to believe it would appear, that the late Transactions in *Poland* were none of the Causes of the present War, or at least that they contributed but a very little towards it, by being a sort of Cloak for covering those Designs which were the real Motives of the War. Thus, my Lords, the making publick those Instructions and Papers which are now call'd for, must be of great Prejudice to his Majesty's Affairs, in every supposable Case but one, and in that one Case they can be of no Service, nor afford any Lights to this House, with respect to what your Lordships desire to be informed about; for this Reason I think it is not only quite unnecessary but very improper,

to present to his Majesty any such Address as has been proposed; because tho' the particular Transactions then carried on in *Poland*, are now at an End, yet the Consequences of them are so far from being at an End, that they are now pretended to be the Cause, and the chief Motive for entering into the present War against the Emperor; and therefore I shall be against calling for or publishing any Papers, which may in the least relate to those Transactions and Negotiations now upon the Anvil in *Europe*.

It was replied to the Effect as follows, *viz.*

My Lords, there is no Lord in this House, nor any Man in the Kingdom, who has a greater Regard for his Majesty, or a better Opinion of his Majesty's Wisdom and Penetration than I have; but my Duty to his Majesty, as a Member of this House, obliges me to offer my best and most sincere Advice in every Affair, which I look upon as an Affair of Importance, and my Duty to my King, as well as my own Honour, forbid me to offer my Advice in any Affair till I have that Information which I think necessary for that Purpose. It has been so often said in this House that I am ashamed to repeat it, but upon this Occasion I must again take Notice, that Speeches from the Throne are, in this House, always considered as Speeches from the Ministers for the Time being, and therefore we are never to be confined or restrained in our Debates, by any Thing that has been said to us from the Throne: Whether we have any Concern in the present War, or whether we were any way engaged in those Measures which gave Occasion to the present War, is for this Reason a Question, that no Lord, as a Member of this House, can be as yet satisfied about, because we have as yet made no Enquiry into it, nor can make an Enquiry till a great many Papers, particularly those now called for, are laid before us.

As for the Plan for an Accommodation, which it is said has been offered to the Parties now engaged in War, I must declare, my Lords, I know nothing about it; and every one of your Lordships, when you speak as Members of this House, must declare the same, because it has never yet been communicated to the House; and therefore I cannot well say any Thing about it, nor can I know what may be prejudicial or advantageous to it. I do not know, my Lords, what sort of a Plan it is, but if it be such a Plan, or any Thing like the Plan that has been published in the *Dutch* Gazettes, we have no great Reason for being fearful of doing any Thing that may prevent its being effectual; for I am convinced it will never produce an Accommodation, it can never have any Effect, unless it be to engage this Nation in the War, whether it be our Interest or Inclination so to do or not.

It is impossible, my Lords, that any War

can break out in *Europe* in which this Nation has no Concern. If we have no particular Obligation upon us, no particular Interest to engage us to take a Share in the War, yet we ought to take every such Opportunity to settle the Disputes we may have with either of the Parties, or to obtain Advantages in our Trade from every one, or at least from some of the Parties engaged in War; and it would be a very high Misdemeanor in those who are, or at any such Time may be at the Head of our Affairs, to neglect or let slip any such Opportunity. The Balance of Power, my Lords, is what we ought always to have an Eye to, but I cannot think it is at present, or is like to be in any great Danger; and the Advantage of our Situation is such, that we may always be, and therefore we ought always to be among the last Princes and States in *Europe*, to give ourselves much Trouble about it, or to engage in its Preservation; for if we do not give ourselves an unnecessary Trouble about it, the Princes and States upon the Continent will take Care of it amongst themselves; and if, in any Case of Exeremity, we find ourselves obliged at last to engage, we ought to take that Opportunity to settle all Disputes we may have, and to reap all the Advantages in Trade we may expect from any of those in Favour of whom we engage; and when by our Means the Balance of Power is to be re-established, and Peace to be restored, we have then an Opportunity of settling all former Disputes with the Parties against whom we engage, and of obtaining new Advantages from them. This, my Lords, ought to be the fundamental Maxim of all our Negotiations and Engagements, but I am afraid we have for some Years had our Heads so full of the Balance of Power being in Danger, and have been so ready upon all Occasions to frighten ourselves with that Phantom, that we have not only neglected, but have upon all Occasions sacrificed the particular Interests of this Country to our imaginary Apprehensions about the general Interest of *Europe*. There was never a better Opportunity than the present for settling all the Disputes this Nation may have with either of the Parties engaged in War, there was never a better Opportunity for this Nation's acquiring new Advantages in Trade from every one of them, and I hope it will not be neglected; for I shall have a poor Opinion of our Negotiators, if a Peace be restored without obtaining some considerable Advantages for this Nation.

With Regard, my Lords, to the Instructions sent to our Minister in *Poland* in the Year 1729, I shall not pretend so much as to guess at what they were; but it was certainly the Interest of this Nation not to intermeddle either in Favour of the Party for *Stanislaus*, or in Favour of the Party for the Electoral Prince of *Saxony*: It was our Business,

nels, and would have been our Glory, to protect that Republick in her Freedom of Choice; and the proper Instructions to be sent to our Minister on that Occasion, were only to endeavour to sound the Views and Inclinations of the leading Men of that Nation, in order to take our Measures accordingly, when the Throne should become vacant by the Death of the then King of *Poland*, and that we might in Time prepare to make the best of what was most likely to be the Consequence of that important Event. If these were the Instructions sent, no Power in *Europe* can have any just Ground to complain of our Conduct, and if any of them should make any unjust and frivolous Complaints, or conceive any groundless Suspicions, they are not to be regarded. But granting that this is the Case, granting that our Conduct at that Time was unexceptionable, is it not highly necessary for us to know this before we offer any Advice to his Majesty? My Lords, it is so necessary, that without it we cannot offer any sincere Advice, it would be dishonourable, or at least rash in us to attempt it; for tho' the Affairs of *Poland* may not be the chief Causes of the War, yet it is certain that, with Respect to *France*, they are the chief Motives pretended; and for the other Causes of the War we must search into other late Transactions, in all of which we certainly had a very great Concern, perhaps a greater than this House may think this Nation ought to have had, when we come to examine into those Transactions, and have the proper Papers laid before us for that Purpose.

But, my Lords, if with respect to the Affairs of *Poland*, we favoured either of the now contending Parties, it is absolutely necessary for this House to enquire into them, and for that End to have the Papers now moved for laid before us; such an Enquiry will be so far from being attended with any mischievous Consequences, that the Neglect of it may be of the most fatal Consequences both to this Nation, and to the Liberties of *Europe*; for whatever Side we favoured, it cannot be supposed that any of our Endeavours are now a Secret to those of the other Side of the Question. If we favoured the Designs of those who were for setting *Stanislaus* upon the Throne, we must have concerted Measures with the Leaders of that Party in *Poland*, and as some of those who were then among the Leaders of that Party in *Poland*, are now in the Interest of the Elector of *Saxony*, can we suppose that any of our Endeavours in Favour of *Stanislaus*, or the Instructions given to our Minister for that Purpose, are now a Secret to the Elector of *Saxony*, or to any of the Powers now engaged to support his Election? So that whatever our Instructions may have been upon that Head, they cannot now be a Secret any where but in this House,

where they ought to be well known, and strictly enquired into; for it is impossible to imagine that the Powers of *Europe*, who now support the Elector of *Saxony*, will ever put any Confidence in this Nation, or join cordially with us in any Measure, while those Persons, who formerly advised such Measures, have any Influence in our Councils: Nor can the Nation with Honour propose any Terms of Peace, much less engage in a War, for defeating those very Measures which have been concerted in Conjunction with us: We cannot at least propose any such Terms of Peace, or engage in the War on such a Footing, till we have made Examples of those who engaged us in such destructive Measures.

On the other Hand, if we suppose that the Instructions sent at that Time to our Minister in *Poland*, were to favour that Party, who were for placing upon their Throne the Electoral Prince, now the Elector of *Saxony*, those Instructions must have been communicated to all the chief Officers of State, particularly to those of them who then appeared at the Head of the *Saxon* Party in *Poland*; and as many of them are now in the Interest of *Stanislaus*, can we suppose that those Instructions are now a Secret to any of those Powers, who are now engaged to support the Election of that Prince to the Throne of *Poland*; or that they will look upon this Nation as impartial, or with any Confidence accept of our Mediation, as long as those very Persons, who joined in such Measures against them, have any Influence in our Councils? So that if we have a sincere Inclination, which I think we ought to have, to prevent this Nation's being engaged in the War, we ought to enquire into our Transactions in *Poland*, and for that Reason ought to have the Papers called for laid before us: But moreover if it should appear that the Emperor has been attacked for pursuing those very Measures he had concerted with us, is not this Nation in Honour obliged to defend him against such an Attack? Or at least we ought to punish those who engaged the Faith of this Nation in Measures, which it was not our Interest to pursue.

Thus, my Lords, in every supposable Case, it is the Duty of this House not only to call for those Instructions, but to examine them strictly, before we can pretend to give his Majesty honest or sincere Advice, in relation to the present Posture of Affairs in *Europe*. If the Instructions were right, we ought to know it before we can give our Advice; and it is impossible the publishing of them can produce any bad Effect: If they were otherwise, they can produce no worse Effect than they have done already, and it is necessary they should be examined into, and the Persons punished who advised them, before we can suppose that his Majesty's Mediation will have any Effect towards restoring the Peace of *Europe*, or preventing its being

ne-

necessary for this Nation to engage in the War.

The Question was then put upon the Motion, which upon a Division was carried in the Negative by 71 to 29.

The Motion was made by the E—l of C—ld; and the Speakers in Favour of it were the said E—l of C—ld, the L—d B—ff, the L—d C—t, and the E—l of W—ea: The Speakers against it were the D—ke of N—le, the E—l of I—x, and the L—d H—ck.

DEBATE on the Motion for Calling for the Instructions relating to the Treaty of Seville.

Immediately after this Division the following Motion was made in the same House, viz. That an humble Address should be presented to his Majesty, that he would be pleased to give Direction, that the Letters and Instructions sent to his Majesty's Ministers at the Courts of France, and Spain, relating to the Execution of the Treaty of Seville, should be laid before the House. As this Motion was likewise made in the other House the preceding Session, and as we gave the Debate upon it last Year, * we shall therefore in like Manner abridge this Debate as much as possible.

The Argument for the Motion was as follows:

My Lords, notwithstanding the Fate of the former Motion, I will beg Leave to make another, which I hope will have better Success; but before I make the Motion I intend, I desire his Majesty's Speech to both Houses, at the Opening of the Session, in the Year 1730 -1, may be read. (The same was read accordingly.) In that Speech you may observe, my Lords, his Majesty informed us in general of the Difficulties that were like to attend the Execution of the Treaty of Seville: And then says, *The Plan of Operations for the Execution of the Treaty of Seville by Force, in Case we should be driven to that Necessity, is now under Consideration.*—From these Expressions, and from what fell from a noble Lord in the former Debate, who told us, we were to look for the Springs and Causes of the present War somewhere else than in the Instructions given to our Minister in Poland, I think it absolutely necessary for us to see the Letters and Instructions sent to our Ministers at the Courts of France and Spain, in Relation to the Execution of that Treaty; for in that Treaty, and in the Negotiations that were carried on for the Execution of that Treaty, I am, indeed, very much persuaded we are to look for some of the chief Springs and Causes of the present War; at least I am very sure we cannot pretend to give his Majesty any Advice with Respect to the present War, without seeing that Plan of Operations which was concerted

for the Execution of that Treaty, and those Negotiations that were carried on for concerting that Plan, and for making it effectual after it was concerted; and therefore, my Lords, I shall move, &c. (as above-mentioned.)

A To this it was answered in Substance as follows, viz.

My Lords, I must say, I am a great deal more surprised at this Motion than I was at the former; for as the Affair of Poland is made at least the Pretence of the present War, it might be suspected that the late Transactions in that Kingdom were the chief Causes of the War, but I am sure it is impossible to imagine that any of the Letters or Instructions relating to the Execution of the Treaty of Seville, can have any Concern with the Motives of the present War; because whatever Measures were concerted for the Execution of that Treaty by Force, it is certain that no such Measures ever took Effect: We all know, that the Treaty of Seville was soon after fully executed in an amicable and friendly Manner, by the Conclusion of the Treaty of Vienna, therefore the Treaty of Vienna is the only Paper that can properly have any Relation to the Execution of the Treaty of Seville, and the only Paper from which we can have any Information in Relation to the Execution of that Treaty.

D Therefore, my Lords, as there can be no Relation between the Papers now called for and the Causes of the present War, there can be no Reason for our desiring them to be laid before us on the present Occasion: But farther, my Lords, it would be very improper and certainly very dangerous, to make those Papers publick at such a Conjunction as the present; because there may be several Things in them that might break off that good Correspondence which now subsists between his Majesty and all the Powers engaged in the present War, and which it is certainly necessary to keep up till the Plan of Peace, concerted by his Majesty and his Allies, shall be either accepted or rejected; for if it be accepted, and Peace restored upon safe and honourable Terms, this Nation will be freed from the Danger of being involved in a heavy and expensive War, a Danger which we cannot avoid if the Plan be rejected, and the War long continued; therefore I hope this House will never agree to do any Thing that may give the least Occasion or Pretence for the rejecting of that Plan: And whatever some Lords may be pleased to say of that Plan, I doubt not but it will appear to be a reasonable and a good Plan; because in the Forming of it the Dutch Ministers concurred with ours; nay, I believe, were the first and the principal Persons concerned in the drawing it up: I believe it

was originally formed by as wise and as honest a Minister, as ever had the Direction of the Affairs of the States General, and his Draught was approved of by all those who have any Share in the Administration of their Affairs; so that whatever may be said or thought of our own Ministers, I hope every Lord in this House will do the *Dutch* Ministers, especially that great Man who has now the chief Direction of their Affairs, the Justice to think, that they would neither have drawn up nor approved a ridiculous Plan, or a Plan which they thought would not be effectual; and I believe I may say, that if that Plan, or something very like it, be not effectual, it will from thence appear, that some of the Parties now engaged in War have Views which they have not yet thought fit to own, and that both the *Dutch* and we will think it necessary to join in the War, in or-

der to prevent the Accomplishment of such dangerous Designs. The Discovering of those Views, if there be any such, is certainly one of the chief Things intended by that Plan; the sooner they are discovered the more easy it will be to defeat them, and I hope your Lordships will do nothing that may defeat the Design of the Plan, which your agreeing to the present Motion would very probably do; because it might furnish a Pretence to some of the Parties engaged in War to reject the Plan, without being obliged to discover their real Designs.

But in short, my Lords, every Argument that was offered against the former Motion, is certainly equally strong against this; and as your Lordships have thought fit to disagree with the former Motion, I make no Doubt of your disagreeing likewise with this.

[To be continued.]

An EXPLICATION of the famous Text in Dispute about HERESY.

To the Author of the London Magazine,

S I R,

I Have here sent you a short Explication of the so much controverted Text of St. Paul, relating to Heresy, Tit. iii. ver. 10, 11. If you think it deserves the Notice of your Readers, you will give it a Place in your Magazine; which will oblige, Sir,

Oxon, Nov. 24, 1735.

Your's, &c.

THE whole Difficulty of this Text, I apprehend, is to settle justly the Meaning of these Words used by St. Paul, viz. *αἰρεσις* and *αἰσχρολογία*. As neither of these Words occur any where else in the New Testament, we must endeavour to fix their Sense, from the Context itself, and other parallel Passages.

In the first place, then, as to the Word *αἰρεσις*, I can by no Means think it signifies Heretick, in that Sense in which the Word is commonly used in our Language, viz. for one who barely maintains erroneous Opinions in Point of Doctrine, tho' out of no worldly View, nor from any vitious Principle, but, as a sincere tho' mistaken Enquirer after Truth: For, 'tis well known, in our common Notion of Heresy, we do not necessarily include any Fault, or Viciousness, of Will; but only Error of Judgment or Understanding: But, I cannot find the Greek Word *αἰρεσις*, ever used in Scripture in that Sense; it is always used either in an innocent Sense to signify simply a Sect or Party; or, in a bad Sense it imports Faction or Division, either, in a lesser Degree, or else in a bigger

Degree, so as to be destructive of the very Nature and fundamental Design of Christianity.

The first, is a proper Acceptation of the Word *αἰρεσις*, as it is frequently to be met with in Heathen Authors, both Greek and Latin, who apply it to the several Sects of Philosophers among them, (vid. Tull. Epist. Famil. lib. 15. Ep. 16. item Paradox. in Præfat.) and in this Sense it is used no less than six Times in the Acts of the Apostles; unless in one Place it carries with it a secondary Idea of Contempt or Reproach, as ch. xxiv. ver. 5. where the new Christians seem to be stiled in an invidious Manner the Sect of the Nazarenes, in order to represent them as a novel and upstart Sect; and so St. Paul plainly understood it at ver. 14. where he repeats the same original Word, after the Way which they call *αἰρεσις*, i. e. which they invidiously call so, so worship I the God of my Fathers.

But, *αἰρεσις* in the Plural Number is made use of twice by St. Paul in a very different Manner, as appears pretty evident, if we consider the Context and Occasion of the Words in each Passage. The first is, 1 Cor. xi. ver. 19. Where the Apostle is reproofing the Corinthians for the Irregularities and shameful Practices they were guilty of at the Celebration of the Lord's Supper, and which he imputes to a Spirit of Faction and Contention got among them, and an insolent Behaviour of the Rich towards the poorer Sort, ver. 18. I hear that there be *σχίσματα* Divisions among you, and I partly believe it; for there must be also *αἰρεσις* [Factions] among you, that they which are approved may be made manifest among you. Here *αἰρεσις* in the latter Verse has plainly the same im-

port with σχίσματα in the former; for it was not to the Apostle's Purpose, when he was speaking of Divisions and Indecencies as to outward Behaviour, to make a sudden Digression concerning another Sort of Divisions in Matters of Faith or Doctrine. The Sense of the Passage seems plainly this: He told them, 'he heard there were Divisions among them, and he thought it might be so, since it was consistent enough with the Order of Providence, to permit such Factions in the Church, and that thereby one good End would be obtain'd, viz. that those who behaved as they ought, would be manifested to the World, and distinguish'd from others.'

If it be said, according to this Interpretation, we make the Apostle guilty of Tautology, in thus using different Expressions without varying his Meaning; yet it is better, I presume, to allow such an Inaccuracy as this, than to charge him with a much greater, an Incoherence, and Want of Connexion in the Sense. But besides, a Variety of Expression is not always inelegant, and not unusual, I am sure, either in sacred or profane Authors.

The other Passage is in Gal. v. ver. 20. where the αἱρέσεις are expressly enumerated amidst the Works of the Flesh, and rank'd amongst that black Catalogue of Vices, Wrath, Strife, Seditions, Envyings, Murders, and the like; where they could never deserve a Place, unless they proceeded from the same corrupt Fountain, a vitious and wicked Heart. I would therefore choose to translate the Word here, as in the former Passage, not Heresies, but Factions.

St. Peter makes use of the same Word, 2 Epist. ii. 1. Where he is speaking of the false Prophets and false Teachers, who should introduce, αἱρέσεις ἀπωλείας, destructive Heresies or Factions, into the Christian Church. The Character of these Men, and the Tendency of their Doctrine are so fully represented to us both by St. Peter, and St. Jude, that we cannot easily mistake about either: They acted entirely upon sensual and worldly Motives, and those too of the worst Sort, the Gratification of their Pride, Lust, Avarice, &c. and they broach'd Doctrines not only subversive of the Christian, but of all Religion whatsoever: Ungodly Men, turning the Grace of God into Lasciviousness, and denying the only Lord God, and our Lord Jesus Christ, Jude ver. 4. and where those Kind of Teachers are spoken of in other Places of Scripture, they are painted in the blackest Colours, and as Men of the most infamous Morals. Vid. 1 Tim. iv. ver. 1, &c. 2 Tim. iii. ver. 1, 2, &c. From all which nothing else can be infer'd, but that αἱρέσεις in this Passage of St. Peter represents Factions of the worst Sort of Men, teaching even knowingly wicked Doctrines to the worst of Purposes.

If what has been said be just, then have we, I imagine, the full Meaning of the αἱρετικὸν ἄνθρωπον, in the Text I am examining; it must signify a Man of a factious or turbulent Disposition, who out of selfish and base Views, sets up as a Broacher or Maintainer of useless or pernicious Doctrines, without any Regard to Religion or Truth. We need go no farther than the Context to confirm this Interpretation; the Apostle is here plainly speaking of Persons of that Stamp; Men who delighted in wrangling, in advancing idle and frivolous Notions, to perplex and confound the Minds of others; for in the Verse immediately before he charges them, to avoid foolish Questions and Genealogies, and Contentions, and Brawlings about the Law; for they are unprofitable and vain. Of the same Sort of People is he speaking in the first Chapter of this Epistle, ver. 10. For there are many unruly and vain Talkers and Deceivers, especially they of the Circumcision; whose Mouths must be stopped, who subvert whole Houses, teaching Things which they ought not, for filthy Lucre's Sake. And in many other Places of his Epistles does St. Paul warn Converts of such litigious and factious Dispositions; of giving Heed to Fables and endless Genealogies, of vain Babblings, and Science falsely so call'd, of Questions and Strifes of Words, of perverse Disputings of Men of corrupt Minds, of striving about Words to no Purpose, but to the Subverting of the Hearers, of Jewish Fables and Commandments of Men, and the like; all which are imputed to a Spirit of Faction, for the Sake of worldly and sensual Ends. It cannot be doubted therefore if αἱρέσεις in the former Text signifies Factions, as it certainly does, the αἱρετικὸς ἄνθρωπος, in this Text, must naturally signify, a Man that is a Lover or Promoter of Factions, i. e. a factious Man.

What adds great Weight to this Interpretation, is an Observation of Grammarians, that 'tis the Property of Greek Adjectives ending in -τικός, that they commonly denote not only the having such a particular Quality, but they imply a certain Aptitude, or Tendency, or Inclination in the Subject towards that Quality: So κελτικός, καδαγτικός, ποιητικός, πνευματικός, and innumerable others do all carry with them a Force and Efficacy with respect to their several Qualities; and so therefore αἱρετικός will signify not barely one who is of this, or that Faction or Party, but one who delights in being so, is fond of it, disposed to it, qui aptus est ad Factionem. (De hac re consulat Grammat. & Cameron. Myrab. in locum.)

The Character St. Paul gives of this αἱρετικός, with the Directions concerning him, requires this Construction; such an one, *as follows*

after the first and second Admonition, (or as it is better render'd in the old Translation, after once or twice Admonition) reject; knowing that he that is such is perverted and sinneth, being condemned of himself; that is, 'a Man who is factious, and stirs Divisions among you, and will not be reform'd after due Admonition, must by all Means be disown'd for a Christian, since, you may be sure he is quite turn'd away, aver's'd, from the Truth, and so open an Offender, that in Effect he proclaims himself so, and passes Sentence on himself.' This is an easy and natural Sense of the Words; the Expression here, *αὐτοκατακριτής*, plainly cannot signify, one who formally condemns, or passes Sentence on himself; this is too absurd to be maintain'd: Nor, does it seem here properly to be, as Mr. Foster understands it, one who condemns himself inwardly, as acting against the Dictates of his own Reason and Conscience: But it is rather one, who acts so notoriously against the Design and End of Christianity, that in Effect he proclaims himself not worthy to be reckon'd a Member of the Christian Church; he excludes himself from the Benefits of the Gospel, by passing Sentence, as it were, on himself.

There is an Expression of the like Nature with this, *Acts* xiii. ver. 46. which I don't find has been taken Notice of, tho' it is refer'd to in the Margin of our common English Bibles: It is where Paul and Barnabas are reproaching the Jews for their Obstinacy in rejecting the Gospel, and as St. Paul was the chief Speaker, they are most probably his own Words: *Then Paul and Barnabas waxed bold and said, it was necessary that the Word of God should first have been spoken to you; but seeing ye put it from you, and judge your selves unworthy of everlasting Life, &c.* *ἐν αὐτί-*

ως κρινετε εαυτους τῆς αἰωνίου ζωῆς. The Expression here of not judging themselves worthy of everlasting Life, is plainly Ironical, as if he had said, 'you don't aspire so high as the Hopes of everlasting Life, too conscious of your own Unworthiness, to make any Claim or Pretensions to the Benefits of the Gospel.' This is plainly, I think, the Sense here, and I take *αὐτοκατακριτής* to be near a-kin to it; since the *αἰρετικός* is likewise one that acts so inconsistently with Christianity, that he virtually renounces the Profession of it, and like the Jews, he does not judge himself worthy to be reckon'd among Christians, and so condemns himself.

B P. S. If it be objected, that the Explanations I have given of the *αἰρετικός* and *αὐτοκατακριτής*, are not agreeable to the general Sense of the Church, or the Primitive Fathers, who understand them for the most Part as we do, when we speak of Heresies and Hereticks in our common Language; the only Answer I can make to this is, that I thought my self no farther concern'd than to find out the Sense of the Writers of the New Testament upon this Point, and to confine my self wholly to them. Neither do I enter into an Examination of what is commonly call'd Heresy; or what Power the Church may have with regard to Hereticks; or, how those Words came to deviate from their original Meaning, and to be used by Christian Writers in a Sense different from that of the Apostles. I thought it sufficient to my present Purpose, to explain the true Sense of Scripture in this Matter, tho' I imagine, that even amongst the Fathers I do not stand alone, in the Interpretation I have given. *Vide Chrysostom. & Crit. Sac. in Locum.*

A View of the WEEKLY ESSAYS and DISPUTES in this Month.

Prompter, Dec. 15. N^o 112.

The Case of SOCRATES.

WHAT follows concerning Socrates, was occasion'd by a warm and tedious Dispute between the Prompter and the Grubstreet Journal about the Philosopher's Prayer, (See p. 610.) the former commending it, and the latter condemning it as strongly favouring of Infidelity, and even of Atheism. This Dispute was not carried on without a good Deal of personal Scurrility, and in this Paper the Prompter calls the Writer of the Grubstreet Journal the Reverend Drayman at the Pegasus, Orthodox Kastrill, Vicar of Grubstreet, &c.

Concerning Socrates, he quotes the Grubstreet Journal as saying thus: 'Socrates,

' who was so excellent a Moralist, asserted a future State, and died a Martyr for sound Doctrine.'

Plato (proceeds the Prompter) tells us, and Xenophon and Diogenes Laertius confirm it, that Socrates's Accusation ran thus:

' Socrates is impious; his criminal Curiosity wou'd penetrate into what is done in Heaven and what below the Earth. He makes Injustice triumph, and is not content to keep these Secrets to himself, but teaches them to others. (*Vid. Plato's Apology.*)

' Socrates is criminal, because he does not acknowledge the Gods, which the Republic adores; because he introduces new Divinities, and corrupts the Youth. (*Vid. Xenoph. Mem. Socr.*)

' Melitus, the Son of Melitus, accuses Socrates, the Son of Sophroniscus, of these Crimes

Crimes. *Socrates* violates the Laws, which the Republick receiv'd from their Ancestors, denying the antient Gods, and introducing new ones, and corrupting the Youth, &c. [Diog. Laert. lib. 2.]

The Vicar of *Grub-street*, whose Testimony must be of greater Weight than these, asserts he dy'd a *Martyr* for sound Doctrine.

It must be a Matter of great Mirth to Infidels, as he styles all who oppose him, to see an Orthodox Champion call a Man a *Martyr*, who was charged with opposing the establish'd Religion, in his Time, and call his Doctrine sound, that was built on Free-Thinking.

He says, (to confirm his own Ignorance in every Body's Mind) *Socrates* asserted a future State. After *Plato*, I will venture to say, in Opposition to the Vicar, that *Socrates* doubted of it. Hear his own Words —

‘ Either Death is a Privation of Sentiment, or it is, as it is said, the Passage of the Soul, who changes Place, and goes into another. If it is a Privation of Sentiment, and that Death is a peaceful Sleep, undisturbed by any Dreams; what a Happiness to die! If it is the Passage of the Soul from one Place to another, and that the *Shades below* are the Rendezvous of all that lived before, what greater Good can happen to us, than to see and converse with *Minos*, *Rhadamanthus*, *Æacus*, *Triptolemus*, &c.’
Vid. *Plato* Ap. *Socr.*

Craftsman, Dec. 6. N^o 492.

Further Remarks on the Reign of King
EDWARD III. (See p. 615.)

WHAT I would particularly point out in this King's Reign, is his Conduct in the domestick Part of his Government. He was so far from acting like a Monarch, who thought himself invested with absolute Power, that he always cultivated the Affections of his People, in their collective Capacity, and seldom undertook any great Enterprize, without the Advice and Concurrence of their Representatives. The many excellent Laws, made in his Reign, bear sufficient Testimony of his great Regard for the Good of the Nation, and will forever endear his Name to Posterity.

The first I shall mention was the Statute of Treasons; the best Security of the Lives, Liberties and Estates of the Subject, that was ever obtain'd of the Crown, not excepting even *Magna Charta*, and the *Habeas Corpus Act* themselves; for till this Act was pass'd, Treason was so indefinite a Crime, that it might be construed to signify any Thing, by the Help of a little State Law, which a King, or a Minister, had a Mind to punish as such. Thus we are told, in our Law-

Books, that killing the King's Brother, or only his Messenger, was taken to be included in it. Nay, even Popularity was held to be Treason, as an Incroachment on royal Power, or tending to diminish the Dignity of the Crown. But this wise and just Law put an End to all such scandalous Practices, as far as it was possible for Laws to do it, by ascertaining the Nature of Treason, and enumerating the several Species of it. The great End of the Legislature in this Act was to abolish all constructive Treason, or the Art of putting People to Death, under that Pretence, by Innuendo; nothing being to be deem'd Treason, for the future, but what is particularly and literally declared to be such, by that Act. There was, indeed, one pernicious Clause in it, at first, which empower'd the King and the Parliament to declare other Crimes Treason, besides those specify'd in it; but this was afterwards repeal'd, in the Reign of *Q. Mary*, and the Statute before-mention'd was made the only Standard of Treason; so that nothing is Treason, at this Day, but what is declar'd so by the 25th of *Edward III.* or by some Statute since the 1st of *Mary*; for it must be observed that several Offences have been made Treason by modern Statutes, which were not so before, and some even since the Revolution.

Another beneficial Law, made in the same Reign, was the Statute of *Præmunire*; by which the People of England were restrain'd, under severe Penalties, from carrying any Causes into foreign Courts, the Cognizance of which belong'd to the King's Courts; for the Practice of Appeals to Rome, and Citations from thence, was grown to such an Height, that the People were not only harass'd with frequent Journeys thither, to solicit their Affairs, but great Sums of Money were continually carried out of the Kingdom.

To this was added another Act, to the same Purpose, call'd the Statute of *Provisors*; by which all ecclesiastical Persons were prohibited, under the like Penalties, to procure, or accept any Provisions from the Court of Rome; that is, Collations to any Bishoprick, Dignity, or other Benefice, before the Incumbent was dead, contrary to the Right of the King, the Chapters, or particular Patrons. This was likewise come to such a Pass, that there was scarce any Church Preferment, great or small, to which the Popes had not usurp'd the Nomination, either by Virtue of their apostolick Power, or by trumping up some Objections against the Party elected. What added to this Grievance was, that most of the Benefices, dispos'd of by the Pope, were conferr'd on Foreigners, who received the Profits of them, without ever residing. This was another constant Drain of the national Wealth, besides what was likewise swallowed up, in the same voracious Gulf, by Legates,
Nun-

Nuncio's, first Fruits, Peter Pence, &c.

But the two *Acts* before-mentioned, of *Premunire* and *Provisors*, went a great Way in redressing those Evils; and, with the Statute of *Mortmain*, in the Reign of *Edward I.* laid the first Foundation of shaking off the *Pope's* Authority in *England*.

Besides the glorious *Acts* already mention'd, and several others, King *Edward's* Ears were always open to the Complaints of his People, and his Heart always ready to concur in the Redress of their Grievances. He was so far from endeavouring to screen Delinquents from Enquiry and Punishment, or suffering others to do it, that we find him more than once calling a *Parliament* for this Purpose, and rather leading the Way, than giving any Opposition to those Regulations, which they thought necessary for the publick Good.

Amongst other Things, it was ordained that all Pleadings and Judgments should be in the *English* Language, instead of the *French* or *Norman*, which had been in Use ever since the Conquest.

He also confirm'd *Magna Charta* ten several Times, and this too, without any Compulsion, or Constraint, from the Necessity of his Affairs, as was the Case of his Predecessors; but of his own free Accord, and in the Midst of all his Successes.

He likewise granted his People a general Pardon, more than once, not excepting even Treason itself; unlike some of his Successors, who have been willing enough to extend their Grace, as it is call'd, to all Crimes and Offences, except those against their own Persons.

Nor do we meet with any bloody Instances of Revenge, or violent and tyrannical Executions, under this great Prince; excepting only that of *Mortimer*, Earl of *March*, when he first took the Government into his own Hands. But when we consider the notorious Enormity of his Crimes, the Resentment of the People, and Parliament, and his own Example, in such Methods of Proceeding, we cannot be much surprized that a young Prince of Spirit, who was particularly injured and dishonour'd by that Monster's Conduct, should be prevail'd upon to take him off, in the same summary Manner.

It is also true that there are some *Acts* of Power or Prerogative, to be found in the History of this Reign; particularly with Relation to *Money-Matters*. But as they are but few, and in Times of an expensive War, so they are generally accompanied with Assurances that they should not be drawn into Precedent, Apologies to his People upon that Account, and Remittances of old Debts, owing to the Crown, or some other Boons, by Way of Retribution.

For, besides the many Instances of Generosity already mentioned, *Edward III.* seems

to have been the first *English* Monarch, who gave Encouragement to the woollen Manufacture. This appears by several Protections, granted to foreign Weavers, who came over hither to exercise their Art, and teach it to the *English*.

Again, he was so far from suffering himself to be govern'd by Ministers and Favourites, that we hardly meet with any Thing in his History relating to them, or even his common Officers; for tho' *Rapin* calls *Stratford*, Archbishop of *Canterbury*, his prime Minister, it was only during his Absence out of *England*; and no Mention is made of any such Vicegerent, whilst he was at home, till the Infirmities of old Age came upon him.

To all this I might add the first Regulation of our Coin; his Institution of the noble Order of the Garter; his nice Discernment of Merit; and just Distribution of Honours and Rewards; with several other Virtues and Endowments, which constitute the Character of a great and good King.

But if any Thing had been wanting in himself to compleat such a Character, it was amply supplied in his eldest Son, the Prince of *Wales*; who was the Glory of his own Time, and ought to be a Pattern to all succeeding Princes. Never was a Father more worthy of such a Son, nor a Son more worthy of such a Father; equally valiant, wise, and generous; equally bold in Adversity, and modest in Prosperity. In short, as he possess'd all the Virtues of his Father, so he was equally beloved and honoured by the whole Nation.

Edward III. was likewise happy in a great, and good Queen, who reign'd in the Hearts of the People, as much as in that of her royal Consort, without any mean Arts to captivate either; and not only blest'd his Bed with a numerous and distinguish'd Offspring, but gave an additional Lustre to his Reign, by her own personal Conduct; so that the whole royal Family seems to have been a Constellation of Heroes and Heroines.

But it must be confess'd, that as this Reign began ingloriously, under the Administration of Queen *Isabella* and *Mortimer*, so the latter End of it was not a little obscured by the King's old Age, the Intrigues of an insolent young Mistress, upon whom he wasted the publick Treasure, the ill State of the Prince of *Wales*, who died soon after, and the Ambition of his Son the Duke of *Lancaster*, who had now got the sole Management of Affairs, and was even strongly suspected of aspiring to the Crown. By these Means, the King lost all his Acquisitions abroad, except *Calais*; and, in a great Measure, the Confidence and Esteem of his People at home; for they, who had before supported him so liberally, in carrying on his Wars, held back their Hands, when he demanded a Subsidy for such useless Ex-

Expences, and absolutely refused to grant it, till he had discarded his *Mistress*, the Duke of Lancaster, and some other Favourites. This Parliament is call'd in History the good Parliament; and one of the greatest Blemishes of Edward's Life was, that altho' he complied with their Petition at first, in order to get the *Subsidy*, he soon recall'd his Favourites, and even imprisoned the Speaker of the House of Commons, who had express'd himself pretty freely against his *she* Favourite, at her Request. But all these Instances of Male-Administration, must be imputed to the Causes before-mention'd; and if we confine our selves to the forty intermediate Years of his Reign, whilst he was in full Vigour; that is, from his taking the Government upon himself to the Time of his falling into a Kind of Dotage; they are hardly to be parallel'd in the History of any Age, or Nation.

Fog's Journal, Dec. 6. N^o 370.

Some Account of Merlin, and the Figures that attend him, in the new-erected Cave at Richmond.

MERLIN liv'd in the Reign of *Vortigern*, and by his Means was begot the famous King *Arthur*, a just and brave Prince; but whose great Qualities were eclips'd by his Uxoriousness for his Queen *Guinever*, so call'd, as *Geoffry of Monmouth* informs us, from her inordinate Love of Guineas. This Princess, after having long left the King her Husband but the Shadow of Power, resolv'd at last to deprive him of that too, and accordingly shut him up in a Cage *, and plac'd him to watch her Chest of Gold. Notwithstanding which, an old Historian observes, that a Prince of *Wales* found Means to get at the Treasure, and to distribute in Acts of Generosity, what had been acquir'd by Extortion and Avarice,

Chaucer, in his *Wife of Bath*, gives us a remarkable Instance of this Queen's predominant Love of Power. In Order to satisfy this Passion, she made Use of our *Merlin*, whose Arts and Inchantments well seconded her Influence over her Husband, and pav'd the Way to his future Confinement. The first Service by which he recommended himself to her Majesty, was by his Fountain that chang'd Love into Hatred, and Hatred into Love, so celebrated in that great Poet *Ariosto*. He gave her a large Provision of these Waters, which she took Care to make the King drink of upon proper Occasions, so that in a little while he was observ'd to hate all those he had lov'd, and to love all those he had hated: The Consequence of which was, that he had not one Friend left, those whom he lov'd, now hating him still, for his having hated them once; so

that he became the helpless Slave of his Wife and Minister.

We have no authentick Account of the Birth and Family of *Merlin*, only that being born a *Welshman*, it is to be supposed he was a Gentleman; but of his great Skill in Magic, History gives us many Examples; and that he had several inferior Spirits or Sprites at his Command, appears from *Spencer*. (See p. 608.)

His Art was of the black malignant Kind, and employ'd only in wicked Purposes; and the Sprites made Use of by him, were only of the infernal Sort, but none of them Genius's to execute good Designs. He was likewise a great Dealer in Brass, and propos'd making a Wall of Brass, for the Security of the Nation; but tho' such immense Sums were rais'd upon the People under this Pretence, yet it was always doing, and never done.

Having thus explain'd, as far as we could, the Character of the famous *Merlin*, and those Merits which have intitled him to a Place in the Royal Garden of *Richmond*, we shall now give what Account we are able of the other Figures which attend him.

When we consider where and by whom this singular Edifice is erected, and these extraordinary Figures placed, we cannot imagine the Whole to be a mere useless Ornament; nor reflect, without some Indignation, on the Indecency of those who treat it as no better than an idle Whim, a Painter's Fancy, a Gardiner's Gugaw, a *Salmon's* Wax-Work, a *Savoyard's* Box, a Puppet-Shew, Rarce-Shew, Pretty-Shew, &c. On the contrary, we doubt not but that, like the Works of the ancient *Egyptians* frequently placed in their Royal Gardens and Palaces, it is wholly Hieroglyphical, Emblematical, Typical and Symbolical, conveying artful Lessons of Policy to Princes and Ministers of State.

After *Merlin*, the first Figure that presents itself is the Amazon *Britomartis*, by whom (as the Name seems to imply) we suppose is meant the martial Spirit of *Britannia*, as we see her represented on some of our Coins, half Soldier, half Woman, formidably arm'd, but extremely incumber'd with Petticoats.

She seems to be in a very declining Condition, and (being no Conjuror herself) comes in the most anxious and submissive Manner to enquire her Fate from the Mouth of that Inchanter, who by his Skill in the Black Art had brought it to depend upon him.

This *Britomartis* or *Britannia* is led by a lean elderly Lady whom some stile *Glauce*, mention'd by *Spencer*; others *Melissa*, from *Ariosto*; and others Mother *Shipton*, famous in *British* Story; but her Character and Office are better known, being allowed by all to be a sort of a Witch or Cunning-Woman, and

* See *Don Quixote*, and the *Knights of the Round Table*.

something between Dry-Nurse and Governess to *Britomartis*, employed by *Merlin* in the blackest of his Art, viz. as his Priestess or *Pope Joan*. She is likewise a great Pretender to Sciences, and Diver into Mysteries.

Before *Merlin* is seated as his Secretary, a great Boy with a Pen in his Hand, submissively looking up to his Master for Orders and Instructions. A busy, dull Perplexity appears in his Countenance; he seems distrustful of his Master's Purposes, but without Sense enough to understand them, or Courage enough to dispute them.

The next Figure, which by an unaccountable Mistake has been vulgarly called *Q. Elizabeth*, can by no Means be supposed to have been intended for her; not only because the Face is taken from a young and very beautiful Lady, but because it is impossible, that in the present critical Conjunction, a Person so obnoxious to *Spain* should be so openly distinguished in that Place. (See p. 511.)

The Reader having doubtless heard of a Library provided for *Merlin*, will be curious to know of what Authors it consists; it is not compos'd (as might be expected) of the Works of the *Aegyptian Hermes*, *Zoroaster*, *Zamolxis*, or *Simon Magus*, which are now lost; much less of *Albertus Magnus*, *Cornelius Agrippa*, *Basilus Valentinus*, and *Raymond Lilly*, which were not then written; but of the Spectators, the Divine Works of *Dr. Clarke*, *Cibber* and *Duck's Poems*, *Hobbes's Leviathan*, and the *Persian Letters*; *Wollaston*, *Waterland*, *Locke*, *Lord Shaftsbury*, *Don Quixotte*, an old Bible, *Pope's Homer*, and *Duncan Campbell's Predictions*.

Upon the Whole, the excellent Choice of this Collection, the exquisite Taste of the Building, and the useful Allegory of the Figures, fully justify the Wisdom of the Architect. For farther Particulars of this our *Merlin*, you may refer your Readers, *Mr. Fog*, to a Book called, *The Rarities of Richmond*, &c. in which will be found a faithful Relation of what all the Monkish and other Historians have given us concerning this unparalleled Magician.

Independent London Journal, Dec. 6. N^o 21.

Whether the Church could be corrupted for the first 400 Years,

S I R,

I WAS much entertain'd with the Attempt to shew, that the Church could not be corrupted in Faith or Worship for the first 400 Years. This led me to reflect upon the Grounds of this Security against any Error. 'St. John (says the Author of the Sacrament of the Altar) did not die till about 100 Years

' after the Nativity of our Saviour.' And what then? *St. John* lived in *Asia*: Therefore the Bishops that lived in *Spain*, or *France*, or perhaps in *England*, could not but preserve the Purity of the Christian Faith! Or, therefore no Circumstances could arise, which could make any Bishop in any Part of the World, walk not uprightly according to the Truth of the Gospel. I think from *Spain* to *Ephesus* is not much above 2000, or 2500 Miles; and considering that Posts were not settled, and the Profits of the Bishoprick of *Ephesus* then were not so great as that of *Toledo* now, *St. John* might not have so exact a Correspondence from all Parts of the World, as to be able to hear of, or to send Messengers to, every Church, or every Pastor, that deviated from the Apostolical Doctrine and Practice, so many Miles on this Side, and so many Miles on the other Side of his Metropolis.

But these and such like Trifles are easily removed, by saying that 'the Apostles and Apostolical Men their Contemporaries had the Gift of discerning Spirits, and therefore would not set any Men over the Church to govern it, whom they did not know to be sound in the Faith.'

Were some very staunch Churchmen to make a Reply to this, they would deny * that any of the Apostles ever had the Knowledge of Mens Hearts communicated to them by the Holy Ghost. And if so, those Men which the Apostles set over the Church might possibly corrupt that Doctrine and Worship which they had receiv'd. And I have some Reason to fear, that there were some of those primitive good Men, who were not great Scholars, nor exact Reasoners, nor quite free from Mistakes in their Representations of Doctrines as well as Facts.

I will give you an Instance or two in Point. *Papias* was a Disciple of *St. John*, and a great Companion of *Polycarp*; he was one that made it his peculiar Business to enquire what *Peter*, and *Philip*, and *Andrew*, and others were wont to preach; he was a Bishop of *Phrygia* many Years; a Man of no little Skill in the Scriptures; and at last a Martyr. He declared from *John*, what our Lord himself taught concerning the Millennium, (I speak in the Words of *Irenæus*, who was born before *St. John* died, and saw and heard *Polycarp* too) 'The Days shall come, says he, in which Vines shall grow, each having 10,000 Buds, and each Bud shall have 10,000 Tendrils, and 10,000 Shoots, and in each Shoot 10,000 Bunches of Grapes, and on every Bunch 10,000 Grapes, and every Grape when pressed shall give 550 Gallons of Wine. And whenever any of the Saints shall go to take hold of a Bunch, another shall cry out, I am a better Bunch,

* Vide Stebbing's Letter to Foster,

* take me, bless the Lord for me. In like manner every Grain of Wheat shall bring forth 10,000 Ears, and every Ear shall have 10,000 Grains and every Grain ten Pound of fine clean Flower: And so shall Apples and Seeds produce a proper Proportion.' He added further, 'that these Things were credible to them that had Faith: But Judas the Traytor not believing, and asking, how such an immense Encrease could be produced by our Lord, our Lord made Answer, they will see who shall come to those Times.'

This was Papias's Account of the Millennium mentioned in the Revelations; and Irenæus did not think the good Man mistaken; nor does he represent him as speaking in an Allegorical Manner. Irenæus therefore brought this Account to Lions, and propagated it there, and cited so good Authority for it, that no doubt it gained Credit: Nor did indeed any call in Question what was thus authoritatively vouch'd, for full 200 Years, within this happy Time, in which the Church could not deviate from Truth. If therefore this was an Error; I think, the Church was in Fact corrupted, even within the first 200 Years: And Men did deviate from that Doctrine which they received from the Apostles. If it be not an Error, it is plainly vouched as coming from the Apostles, or from our Lord, and ought now to be believed by all such as have Faith. But this, I suppose, will some how or other be accounted for.

It would be a curious Work, if any one would undertake it, to draw together a Catalogue of Traditions, vouched by good Authority to come from the Fountain Head. I would not desire to have the little Errors of particular Men exposed, (such as Irenæus's Reasons for there being but four Gospels, because there are four Parts of the World, and four Cardinal Winds, and the Cherubims were of a fourfold Shape;) but I should be glad to see such Points considered, as were of old pretended to be derived from the Traditions of the Apostles or Apostolical Men. If in these the Church should be found in Fact to differ, and one Part to have a Doctrine from St. John, another Part of it to have a Doctrine from St. Peter, and both Parts of it to be so firmly attached to their respective Tenets, as not to recede a Hair's Breadth from their Traditions: This, and all such Instances, methinks, should be reconciled to Unity of Sentiment in Doctrine and Worship; and it should be shewn that the Church never deviated from the Truth into Error, during the Times of those unhappy Controversies.

But whilst there are such Facts, and Disagreements, which seem to contradict this Scheme, I cannot but recommend this important Work to the Author above mentioned: he no doubt will soon shew us what were the

Apostolical Practices; how and in what Manner Apostolical Men celebrated this Commemoration of the Sacrifice, or this Sacrifice of Commemoration, or what they'll call it: He will tell us, how it happened, that a Change of Language in the Church, did not introduce a Change of Notions: He will easily answer any particular Difficulties; how e. g. the administering the Eucharist to Children, came into the Church, and went out, without making any Noise: And whether the Church was corrupted, or did deviate from Apostolical Practice in this Custom; and whether this Custom did not prevail within the first 400 Years? When these and many more such Instances of seeming Change are reconciled to his Hypothesis that there could be no Change within the Time he mentions, he will have nothing to do but to reconcile all to the Scriptures, which have foretold, that there shall be false Teachers among you, who shall privily bring in damnable Heresies; Men speaking perverse Things, to draw away Disciples after them: which I think was literally accomplished before the Year 500.

London Journal, Dec. 6. N^o 857:

Some Causes of the Contempt of the Clergy.

I HAVE no Room here to enter into a Detail of the Corruptions of Christian Priests; the Reader may consult Father Paul's Treatise on Ecclesiastical Benefices and Revenues, Bishop Burnet's excellent Treatise of the Pastoral Care; or, if any incline to ascend higher, the Writings of the most zealous Fathers of the Christian Church, and especially their Epistles, wherein they set us an Example in exposing the Vices of the Clergy in their respective Times, by the Boldness and Freedom of their Reproofs; Reproofs which contain Assertions enough to fright not only Christian Priests, but Christian People, at this Day, if they were to be regarded as sound Divinity, and the settled Judgment of the Catholick Church: To give an Instance: St. Bernard, speaking of the Maintenance due to a Clergyman, has these Words; *Quicquid præter necessarium victum ac simplicem vestitum de altari retinet, tuum non est, Rapina est, Sacrilegium est.* Whatever thou takest more from the Altar, than provides thee a necessary Subsistence, and decent Habit, is not thine; i. e. you have no legal Right to it, but it is Rapine and Sacrilege.

From the Writings before-mentioned, it will appear, that first the secular Clergy lost Authority and Reverence among the People, by neglecting their Duties, and affecting such a Behaviour as became not the Ministers of Christ: Then the Veneration of the Christian World was transferred to the monastick Orders, because they still kept up somewhat of

of the Primitive Customs, lived devoutly, and acted charitably: Upon the Decay of these Virtues among them, the Attention and Respect of the People went to the Mendicant Orders, among whom an outward Form of Godliness was long preserved: When all Degrees of the Clergy became notoriously corrupt, the Reformation dawned in Germany, where it is well known the Business of Indulgences, and the Conduct of those who had the Sale of them, gave Beginning to that Inspection which has restored to us the pure Word of God.

If it should be enquired, how it comes to pass, that the Reformation, which spread so fast at its Beginning, has now for a long Time past remained at a Stay; nay, and in some Places gone backward a little? I answer, with Bishop Burnet, that the most probable Cause is the Corruption of the reformed Clergy, and the Care that has been taken to amend the Practices of the secular Clergy of the Church of Rome. Neither is there any Thing difficult in apprehending this: For the primitive Reformers preached and practised, studied the Scriptures with great Care, and inspired a strong Sense of Piety and true Religion amongst those to whom they dedicated their Labours; and when these excellent Methods were left off, who can think it strange that the Effects of them were no more perceiv'd, or who can be surpris'd that Luke-warmness succeeded Zeal, and that Men grew careless about Religion, when little Care was taken by such as received ample Stipends for teaching and inculcating it? Bad as the present Age is, I am thoroughly persuaded, that, if a primitive Spirit were revived among our Clergy; if they attended steadily on the Duties incumbent on them; if they minded the Words of Christ more, and his *Loaves and Fishes* less; if they fed without *fleeing* his Sheep, and had Regard to something else in their Parishes besides their *Tytbes*; that we should quickly see a new Face of Things: Infidelity would fly before such Pastors, and Popery be exploded among a People well instructed from the Word of God.

Daily Gazetteer, Dec. 9. N^o 140.

Reflections occasioned by some late Craftsmen.

THERE are a Set of Men among us, (says *Britannus*) and I need not name them, who as they read History with no other View, but to wrest particular Passages into the Service of Defamation and *Faction*; so in their Remarks upon it, they most carefully suppress all such Reflections, tho' never so obvious, as may create in the People a good Opinion of their present Situation.

One would think it was impossible for any Man of the least Discernment, to review the

Annals of *Britain*, without being convinced of this glorious Truth, that there are no Advantages which the People formerly enjoyed under the *best* of our *English Kings*, from the Indulgence of their Prince, but what at this Day they possess of *Right*. This is a Truth as clear as the Sun, and I should think, the *Craftsman* might as reasonably hope to eclipse that glorious Luminary with his Hand, as to hide this Truth from the Eyes of *Britons*. We feel its Influences not less blissful than from that Fountain of Light; his Rays, indeed, would shine but to shew our Misery, were it not for this invaluable Possession.

We will give all due Honour to the Merits of former *Princes*; nor shall the *Craftsman* go beyond us, in revering the *Generosity* and *Bravery* of *Edward III.* but this cannot hinder us from seeing the Preference betwixt a Possession of *Right*, and an Enjoyment from Favour: Mr. *D'Anvers* must still give us Leave to distinguish between a Government, where the Rights of the People and the Power of the Crown are exactly limited and fix'd; and one in which the Measure of *Prerogative* was the Will of the Prince, however moderate he might be in the Exercise of it. This happy Difference perfects our *Constitution*, and exalts the Liberty of these Times above whatever our Forefathers saw.

Whether then Mr. *D'Anvers* has given us his Remarks on the Reign of *Edward III.* (see p. 615, 660.) in order to cover the Weakness of his late Defences of *antient Liberty*, and to insinuate a Belief, that if the People were not free by the Frame of their *Constitution*, the Clemency of their Prince made amends; or whether his Intent be to recommend *K. Edward's* Example to present Imitation, I shall not determine; I hope the former: For whatever Mr. *D'Anvers* may think, when the Good of the People requires it, to prefer the Happiness of a Nation, to a Thirst of military Glory, is as true heroick Virtue, as to return triumphant from the Slaughter of Millions.

Let it be the Glory of *Edward III.* that he encreas'd the Bounds of his Dominions, and conquer'd *France*; but no *Lover* of his Country, no Friend to *Liberty* and *Britain*, will, at this Time of Day, ever wish to have his *Sovereign* governed by a *Passion* for extending his Dominions: And when we see a Prince upon the Throne, of try'd Fortitude, yet making his martial Ardor, the natural Heroism of his Temper, bend to the Welfare of his People, and preferring the Pursuit of true and solid Glory, the Happiness of his Subjects, to all the Fame and *Eclat* of military Triumphs; we shall not be uneasy that *France* is not conquer'd; it will be sufficient that *Britain* is free and happy.

As to *Edward's* Conquest of *France*, let me here repeat the just Observation of an ingenious

genious Writer, * ' That the Grandeur acquir'd to *England* thereby, was a dangerous Grandeur, which tho' it rais'd the Reputation of this Country in present, would, if it had gone a little longer, have ended in its Ruin ; for the only Difference ultimately between *France* being conquer'd by *England*, or *England* conquer'd by *France*, must be, whether an *English* or a *French* King should rule both ; since in either Case the Seat of Empire would be in *France* ; and *England*, consequently, in either, would become a Province to *France* ; as in two Possessions under the same Prince, the Lesser must always be a Province to the Greater.'

Craftsman, Dec. 13. N^o 493.

Courtly Grub's Praise of Poverty.

S I R,

I HAVE not troubled you since *May* last, when I vindicated the *Hon. Gentleman*, my Patron, from several Imputations laid upon him in a Book, intitled, *The Case of the sinking Fund*, &c. particularly relating to the *Bank Contract*. (See p. 265.) But the farther Discussion of that *Affair* was soon taken out of my Hands by the learned *Fr. Walsingham*, Esq; and his Coadjutors in the *D. Gazetteer*, amongst whom I have not yet had the Honour to be enroll'd. (See p. 476.) My Brother *Walsingham* made his first Attack with great Vigour, and seem'd to carry every Thing before him by the Dint of those Weapons, which No-body knows how to exercise so well as himself. But it must be confess'd, he hath not follow'd his Blow with so much Spirit, as might have been expected from a Person of his Prowess ; for tho' he threatned to give you no Rest on the Subject, till you ask'd the Publick and Sir R— W— Pardon, or justify'd the Part, you have acted with Relation to both ; he hath suffer'd you to go on, for a Month together, in the Explanation of that Transaction, without any Reply ; and, by his Silence hitherto, seems to have left you Master of the Field. (See p. 600.) However, I can hardly think he hath intirely dropt the Dispute ; nor can I account for his late Deficiency any otherwise, than by supposing that he is employ'd, at present, in some important Work, either upon this or some other Subject, with which the Publick is to be obliged before the Meeting of Parliament.

In the mean Time, give me Leave to take off the Edge of another Charge against the same *Hon. Person*, which runs thro' all your Writings, and which the whole Faction of Patriots are forever dinning in our Ears ; I mean that his Schemes have a direct Tendency

to introduce a general Poverty, and have even had this Effect already, in too great a Degree. It is no Wonder that such a Topick should captivate the Bulk of Mankind, who are govern'd by nothing so much as Self-Interest. I am sorry to add, that this Charge hath received no small Countenance from the very Method, which my Brother-Advocates have taken to answer it ; viz. by denying the Truth of it, and endeavouring to prove the Nation at present in rich and flourishing Circumstances. For my Part, I shall go another Way to Work ; and, supposing the Case to be as you Malecontents represent it, will undertake to shew that the great Person deserves our Blessings, instead of our Curses. For notwithstanding all your plausible Declamations against Poverty, and invidious Comparisons of the present State of the Nation with what it was some Years ago, nothing can be more ridiculous than such Arguments, or more inconsistent with the Policy of the wisest, and most illustrious Nations, recorded in History. If we look back to the first Institution of free States, we shall find them all founded in Poverty, and supported by it. This was the Case of Athens, Sparta, and Rome, in the more early Ages of the World, as well as of all the Gothic Governments, in later Times, and even Holland not above an Age or two ago.

The Abbot de Vertot, in his introductory Discourse to the *Revolutions of the Roman Republick*, tells us, ' That of all the Precautions, the Romans made Use of to preserve their Liberty, none is more worthy of Admiration than their long Adherence to the Poverty of their Ancestors. They thought it the surest Guardian of Liberty ; nay, they found Ways to make it honourable, that it might be a Bar against Luxury ; and this Contempt of Riches, in private Men, grew to be a Maxim of Government. A Roman gloried in the Continuance of his Poverty, at the same Time that he daily expos'd his Life to increase the publick Treasure. Every Man thought himself sufficiently wealthy in the Riches of the State ; and the Generals, as well as the common Soldiers, received their Subsistence only from their own little Patrimony, which they cultivated with their own Hands, &c.'

Now, our Government being founded on the same Principles of Liberty, with that of ancient Rome, tho' not constituted in the same Form ; what can be a greater Preservative of it, than such a diffusive Poverty as supported the other ; or, how can any Man deserve better at our Hands, than by putting a Stop to that Torrent of Riches, which has been breaking in upon us, for an Age or two past,

and might in a short Time have overwhelm'd all our Liberties?

I suppose you will object, that *Poverty*, amongst the *Romans*, was not confined to the common People, but extended itself to their *biggest Magistrates*, to their *Censors*, *Consuls*, and *Dictators*; whereas the Complaint of our Days is, that the *Body of the People* is growing poor, whilst a few *Upstarts in Office* are accumulating immense Riches, and rioting in all the Excesses of *Luxury*. But this Objection, plausible as it may seem, is a meer Cavil, and can proceed only from *Envy*; for if it is necessary to the Preservation of our Liberties, that the *People*, like the antient *Romans*, should be only *Husbandmen* and common *Soldiers*; or, according to the Scripture Language, *Hewers of Wood and Drawers of Water*; what Good would it do them, to see their *Superiors* in the same wretched Condition with themselves, except gratifying that base Passion, which makes Men repine at the Felicity of others? Besides, tho' it was the Fashion, in those unpolish'd Ages, for great Men to be poor, abstemious and disinterested, every Body knows it is ridiculous at present; and that, I think, is a full Answer to all such Kind of Arguments.

You will, perhaps, likewise object, that *Rome* was a Sort of *military State*, or a *Nation of Soldiers*, who lived upon Booty, and therefore did not require any great Stock of Riches; whereas *England* depends chiefly upon *Trade*, and *maritime Power*; the first of which cannot be carried on, without a Diffusion of Wealth, in private *Houses*; nor the latter be acquir'd, without the former. This Way of Reasoning is as plausible as the other, and as likely to catch People at first Sight; but, upon Examination, will appear equally frivolous and inconclusive; for, notwithstanding vulgar Notions, it hath always been a controverted Point, amongst wise Men, whether *Trade* itself is not really prejudicial to a State, by introducing Riches, and consequently *Luxury*, amongst the People. Thus much, at least, appears to be true; that, however *Trade* may aggrandize a Nation for some Time, it commonly hastens its Destruction.

Another ill Effect of *Trade* and *Riches* is, that it always makes Men turbulent and seditious; or, as Lord *Hastings* says, in the Tragedy of *Jane Shore*,

The restless knaves are over-run with ease,

As plenty ever is the nurse of faction.

The only Way therefore to preserve the Peace, and Quiet of the State, is to keep the People low, and prevent their becoming sturdy Beggars.

For this Reason, I am not a little surprized that you, Mr. D'Anvers, who contend, for our antient Constitution, should exclaim so much at our Patron's Conduct; or that Mr. Osborn (pardon me for making Use of the

masculine Gender) should be ashamed to vindicate it, upon the right Footing; for I will be bold to say that this Scheme is a much better Specifick against *Luxury*, than his own Prescription of living within our Fortunes; since Men of Estates may have a thousand Temptations, stronger than all his Lectures, to outrun them; whereas those, who have neither Money nor Credit, will be frugal by Necessity.

I am, SIR,

Your old Antagonist and Correspondent,
COURTLY GRUB, Esq;

Fog's Journal, Dec. 13. N^o 371.

To the Renown'd Squire Walsingham.

SIR,

I WILL not pretend to call this an Answer to your ingenious Observations, for every Thing you write, is unanswerable; but I have a strong Temptation to use my poor Endeavours, to remove those Prejudices you seem to have conceiv'd, against my Reflections upon Penal Laws. (See p. 598.)

You tell us, 'That you have always been taught, even by the Enemies of the Administration, that our Constitution was the very best in the World, and that the Wickedness imputed to every Minister, hath been their supposed Deviations from the Law.'

I must own, Mr. Walsingham, that hitherto I have lain under a great Mistake with regard to you, for I really thought you never had been taught any Thing in your Life, and that your Parts were all Nature; nay, I fancied you knew as much the Day you were born, as you do at this Hour; but since you are pleas'd to set me right in this Matter, I would advise you as a Friend, to forget all you have been taught, and to begin again, for there is Reason to believe you have had miserable Instructors.

I must beg Leave to inform you, that much greater Wickedness has been imputed to some Ministers, than that of acting against Law. Some Ministers have been charg'd with turning the Laws themselves into Grievances, or with making Laws, or procuring Laws to be made, that have been oppressive to the Subject. This, Mr. Walsingham, is infinitely more wicked than the other. If a Minister acts against Law, there is some Remedy left for the injured Subject, and they may hope to hang him for it by Law; but in the last Case they are without Redress; the first is indeed giving a Wound, but the last is committing a Kind of Murder upon the Constitution.

You are mighty angry, that any Body should make Objections against Penal Laws, and you say, that the Remedy that naturally follows for this Grievance is a Rebellion. Oh! Mr. Walsingham, I find you are hard put to it, for something to say upon this Subject,

which I wonder at in a Man of so many Words; cou'd you hit upon nothing to reconcile the World to the Justice and Lenity of Penal Laws? you almost frighten me with talking in this Manner, because it looks like insinuating as if the M— wou'd rather drive Things to a Rebellion, than consent to the repealing of any Penal Law; which I am sorry to hear, from a Person who sometimes gives himself the Airs of being in very great Secrets; for I believe all the Penal Laws may be repeal'd in an orderly quiet Way, by the same Authority which made them, without the least Apprehension of Rebellion, unless you think the disbanded Excisemen should be strong enough to raise one.

You say, there is no Nation, except our own, where there is any Distinction made, betwixt Manslaughter and Murder; and that the Edict against Duelling in *France*, is of all others the most inexorable. I must beg Leave to differ with you in both these Points; the Edict against Duelling is no more inexorable than any other Edict, but I believe it to be more just, because founded upon the Law of God, which perhaps among you Wits may be a Jest; it is an Edict made to prevent the Effusion of human Blood; but when one Gentleman happens to kill another, in a sudden Quarrel, and it does not appear there had been any Challenge, or any premeditated Malice on either Side, the Survivor is not put to Death, it does not come within the Edict against Duelling, nor is he condemn'd as a Murderer; which shews, Mr. *Walsingham*, that there is a Difference made betwixt Manslaughter and Murder, and that the Edict against Duelling is no more than ordinary inexorable. I will grant you, that the Word Manslaughter, which is a Law Term amongst us, is not used there; which, to a Gentleman possess'd with the strong Spirit of Quibbling, as you seem to be, may be thought enough to justify what you have said.

You say, by the Constitution of this Kingdom, that only is punishable by the Common Law, which is *Malum in se*. Suppose, Mr. *Walsingham*, that 12 or more Persons being met together, a Justice of Peace should think fit to read a Proclamation, and they should not disperse; suppose they shou'd be punish'd for it, I mean, they should be hang'd a little, that's all; I fancy, you with all your Oratory, would hardly be able to persuade them, that this which the Law had made a Crime was *Malum in se*: But perhaps you will laugh at my Ignorance, and tell me this is Statute Law, not Common Law; with all my Heart, come off by that Chicane if you can: but upon second Thoughts, who knows but you may speak here, as a Philosopher, not as a Lawyer? for I think you affect that Character sometimes; if it be so, I have no more to say, for as with you Philosophers, Death is

not an Evil, of consequence Hanging can be no Punishment.

In your second Paper you say, 'Should it now be ask'd of him, (the Author of *Fog*) why he makes this Distinction between Penal Laws and Absolute Monarchs? Do they never grow together? And are there not more rigorous, unjust, inexorable Penal Laws, under Absolute Monarchs, than there are any where else in the World? What would he answer to Questions of so glaring a Kind?' To tell you the Truth, Mr. *Walsingham*, I don't know what kind of Questions glaring Questions may be, and therefore I don't care to answer them. I wish you would be so good to get some of your Papers translated into *English*, for the Use of such common Understandings as mine; if I may play a little with Words, my Eyes are so dazzled with your glaring Epithets, that I am frequently at a Loss to find out your Meaning; but if any Body should ask me in what Country there are most Penal Laws, without entering into the Dispute, which is an Absolute Monarchy, and which is not, I believe I could make them a very short Answer.

You tell us, that 'The Poverty and Desolation flowing from the Tyranny of such Governments have made wise Princes in the Possession of Absolute Power, consult their own Wealth and Greatness, by submitting themselves and the Government, in ordinary Cases, to the Justice of the Law.' Indeed, Mr. *Walsingham*, you great Wits have very short Memories. You forget, that more than once, in these two Papers, you have told us, that in Arbitrary Countries the Will of the Prince is the only Law. Now will I undertake a very difficult Task, and that is, to make Sense out of what even you have writ. I suppose therefore that your Meaning must be, that the Poverty and Desolation flowing from the Tyranny of such Governments have made wise Princes in the Possession of Absolute Power consult their own Wealth and Greatness, by submitting to the Justice of their own Arbitrary Will and Pleasure;—you see what Pains I take to make you consistent with your self.

I cannot forbear taking Notice of one little Slip which I think you have made in Point of Discretion; it is where you run into an Exclamation against the late Grand Monarch of *France*, and are for shewing the Miseries of absolute Government, by his draining the People, to raise magnificent Palaces, to cover his Walls with the Wealth of the World in Pictures, and to plant his Walks with Groves of ancient Statues. Now the Indiscretion, as I take it, lies here, that you put us in mind of a Person who has no Qualities that are Grand, who has not so much as one Drop of Noble Blood in his Veins, and who, in the Memory of Man, was not worth Sixpence, who has laid

laid out in the Article of Pictures alone, as much as he could fairly and honestly get in his Life. But not to pass over your Grove of ancient Statues, you put me in mind of a Country 'Squire, who having employed Workmen to fit up a Room in his House with Shelves, and being ask'd to what Use he intended to put it, he answer'd, that having a great Number of Shoes and Slippers, and Boots, he intended to range them in Order upon those Shelves, and so make a most curious Library.

If I have taken the Liberty of contradicting you a little in this Discourse, I have Reason to hope, you will be so good as to forgive me, since it is no more than what you often do by your self; and if the rest of these Discourses be nearly bordering upon Nonsense, there is no great Matter in this. I remember some Years ago, you publish'd a very long Paper in relation to *Belloni's* Letter; in which, to shew your Skill in the *French* Tongue, you gave an Explanation of the Particle *on* in a Manner never known either to *French* or *English* Man before; (see Vol. I. p. 138.) and I remember likewise you were so profuse of your Nonsense on that Occasion, that I apprehended, like some prodigal Gamester, you would have run your self out at once; but I am glad to find your Fund is not yet exhausted, and that you are like to hold it to the End of your Days. Go on then, good Mr. *Walsingham*, and when you can find no Body else to abuse, abuse me; write against me just as you have done hitherto, and I do assure you we shall not be the worse Friends for it. I don't know how it comes to pass, but the more you write against me, the better I like you; I will therefore compliment you in Terms pretty near the same with what *Ben. Johnson* used to a Lord-Mayor, *when I consider your great Wit, I admire your Pension: And when I consider your Pension, I admire your Wit.*

Daily Gazetteer, Dec. 19. N^o 149.

A Reply to the foregoing Paper.

I AM greatly obliged to this instructive Writer, (says *Walsingham*) for his Pains to set me right, tho' I cannot compliment him so far as he expects by forgetting whatever I have heretofore learned. I had heard long before he told me, that some Ministers not only acted against Law, but changed the Laws themselves into Grievances, or procured Laws to be made that were oppressive to the Subjects. I had heard that some Ministers not only betray'd the Faith and Interests of their Country to an Enemy abroad; but obtained a Law at home, to take away the natural Right of Parents to the Education of their own Children.

I must nevertheless complain, that his Manner of stating this Question, falls under the

Censure of running from the only Charge he was bound to answer, namely, that he had traduced and vilified the *whole System of the Laws of England*, as *penal, oppressive, and unjust*, beyond any other in the World. After having vilified the Laws without Truth, he hath no other Refuge than to sculk under the Pretence of having only libelled the Ministry, which might be some Sort of Justification, if a certain Gentleman could be proved about 500 Years old, and had influenced all the legislative Powers, from *Harry III.* to the present Time.

It is probable, we shall next be told, that it is not one Administration, but that there have been several, in short, every one since the Revolution, to whom this heavy Grievance of penal Laws must be attributed. What then? Were there no penal Laws before the Revolution? Were not the Crimes of Treason, Felony, Larceny, and all Sorts of Misdemeanors then known or declared? Were Indictments less numerous, or Judgments less capital, or Executions less sanguinary? Was not the *Act of Uniformity* a very penal Act, by which so many Ministers were sequestered from their Livings? Was not the *Oxford Five Mile Act* another penal Law, by which no Dissenting Minister might come within 5 Miles of any Corporation or Parliament Borough? Was not the Statute *de Scan. Mag.* a very penal Law, when *James Duke of York* had a Verdict for 100,000 l. Damages, against one who said he was a Papist? Was not the Statute *de Proditionibus* made penal in a very extraordinary Way, when *Algernon Sidney* was condemned to die, for writing a Book which he never published, and put to Death accordingly, for Papers found in his Closet, which were neither treacherous, false, nor scandalous, but altogether agreeable to Law, Liberty and Reason?

If then the Number of Executions is the Blot of our Times, I suppose it will be shewn, that our Old Bailey Convicts are more numerous and less criminal than the Victims of the *Rye-house* Plot, or of *Jefferies's* bloody Assizes; the Life of *Macray* (see p. 452.) will be set against that of the Lord *Russel*, and that useful Citizen Mr. *Wreatock* (see the Occurrences) will balance the Execution of Sheriff *Cornish*; it will even be proved, that 5 were condemn'd in one Session for robbing on the Highway; and the Lenity of our Laws will be reproached for the Suffering of these poor Innocents, tho' all was Mercy, Gentleness, and gracious Government, when *Jefferies* impaled the good People of the West of England by Dozens and Scores, for the damnable Wickedness of setting up a Protestant Pretender against a Popish Prince; and when this indulgent Sovereign struck a Medal in Honour of such Executions, with his own auspicious Face on one Side, and on the Reverse of this

Medal, the Scaffold, the Block, the Executioner's Ax, the dismember'd Carcasses of *James Duke of Monmouth*, and *Archibald Earl of Argyle*, their disjointed Heads, their Blood fresh streaming, and in Perspective, the View of a publick Edifice, with *Limbs* and *Quarters* impaled upon Spikes, as Emblems of *Clemency*, and all the mild Endowments which made that Prince so amiable.

London Journal, Dec. 20. N^o 859.

An Historical Discourse on Patriotism.

PATRIOTISM signifies that Love which a Man ought to have for his Country; and how great that ought to be, I cannot better express, than in the Words of the *Roman Orator*; *Omnia quæ a nobis geruntur, non ad nostram Utilitatem & Commodum sed ad Patriæ salutem conferre debemus*: We ought to study, in all our Actions, not how to render them most beneficial to our private Interest, but to that of our Country. This Love of our Country is natural as a Passion, as well as glorious as a Virtue. A Man may immediately convince himself of the Fitness, and even Necessity of practising it, if he reflects, that in it he has been himself nourished, to it he owes his Ancestors, and with it he must trust his Posterity.

The History of the *Jews* abounds with sublime Instances of this exalted Virtue: *Moses* chose to be a Patriot, rather than a Prince; to suffer with his Countrymen, rather than reign over them: For this he was chosen by God to be their Deliverer. There is one Part of his Conduct, which deserves the highest Praise: He attempted not to transmit his Authority to his Family, or to aggrandize his Children at the Expence of his People; on the contrary, he left them simple *Levites*, and with so small a *Patrimony*, that a Descendant of his in the third Degree was glad to accept of a pitiful Curacy for Bread. *Gideon*, when he had beaten the *Midianites*, and set his Country free, was received, not only with Joy and Triumph, but with an Offer of *Sovereignty*; but, instead of accepting it, he answered, with a Soul superior to Empire, *I will not rule over you, neither shall my Son rule over you*. To say the Truth, the Heroes of the *Old Testament* are all of them Patriots; and we may say the same Thing of most of the great Men commended by the *Greek Historians*: Patriotism flourished in *Athens*, but it flamed in *Sparta*. When *Pausanias* attempted to subvert the Constitution of his Country, his Mother carried the first Stone towards the building of that Wall whereby he was shut up in his Sanctuary; and starved to Death. How great the Zeal of *Brutus*, *Publicola*, and the first Race of *Roman Patriots*, was; after the Expulsion of the *Tarquins*, is known to

all who know any Thing of the History of that glorious People; but it may seem strange, considering the quick degenerating of the *Romans*, in succeeding Ages, that, to the very Age of *Augustus*, Men retained such Principles as these.

A It is the peculiar Glory of *Britain*, that Instances of Patriotism are not brighter, or more frequent in any *Annals* than in our own. It is evident from the Writings of *Cæsar*, *Tacitus*, &c. that ever since the *Britons* were a People, they were free; they had their *Reguli* indeed, but they were what they ought to be, *Magistrates in Peace*, and *Captains in War*, not *Tyrants* in either. Our *Saxon Constitution* was as equitable and favourable to the People, as their Condition, and the Manner of living in those Times, would allow: Under the *Normans*, we were for some Time in a Degree of *Slavery*; but the People were never easy under it, and, by Degrees, they threw off the Yoke: Even the subtlest, and the most arbitrary of our Princes, have been checked by the Courage of our Patriots, and it has frequently happened that their Zeal for their Country proved the Means of preferring them at Court. In the Days of King *Henry VII.* when the King demanded the *Tenth Penny* for carrying on the War in *Britany*, and some of the Courtiers in the House of Commons spoke of the King's Want in a high Tone, Sir *John Fineux*, an eminent Lawyer at that Time, made Use of this Expression, Mr. Speaker, Before we pay any Thing, let us see whether we have any Thing we can call our own to pay; for which Saying the King immediately made him a Judge; in which Office he acted with as much Integrity, as in that of a Representative of the Commons.

E *Craftsman*, Dec. 20. N^o 494.

Of Mr. D'Anvers's Writings, and those of his Antagonists.

MR. D'ANVERS,

F AS you are now enter'd into the Tenth Year of your political Warfare, I cannot help comparing you to the sage *Ulysses* of old, whose Love of his Country obliged him to pass thro' a great Variety of difficult Adventures, for the same Course of Time; and I heartily wish your Labours may be crown'd with as much Success at last.

G However, I shall not presume to make you any Compliments on the Service you have already done; because that may be as easily deny'd as asserted. But whatever may be your Merits, or Demerits, the standing Army of Writers, which have been constantly kept in Pay, during so long an Interval, to watch all your Motions, and attack you on every Side, is certainly a Proof that you are look'd upon as a Person of no small Importance.

It is impossible to give the Reader a compleat List of *these Forces*, without the Assistance of the *Master-General*, who hath pick'd them up in all Parts of the Town, and form'd them into distinct Bodies, under several Banners; particularly the *London Journal*, *British Journal*, *Plain Man*, *Citizen*, *Senator*, *Flying-Post*, *Free-Briton*, *Hyp-Doctor*, *Corn-Cutter*, and *Gazetteer*; besides an infinite Number of *occasional Papers*, which have been long since buried in Oblivion, as well as their *Authors*. Nay, you have had the Honour to draw much greater *Adversaries* into the Field; such as *Peers*, *Prelates*, *Privy-Counsellors*, *Baronets*, *Knights of the Bath*, and *right worshipful Esquires*, who may be properly call'd the *Gens d'Armes*, or *Houshold Troops* of a *first Minister*.

I have often thought what a pretty Medley it would compose, if all *these Writers* should collect their Works together, for 8 or 9 Years past, and print them in 100 Volumes in Folio; which is about the Number I compute they would make. Or, if the Writings of the several *Authors* were to be only bound up by themselves, they must, I conceive, prove a very entertaining and instructive Amusement.

For Instance, what a fine System of *Politicks* would Mr. *Walsingham's* Works make, if he would please to give us all his admirable *Lubrations* in the *British Journal*, with his extraordinary *Pamphlets* on several Occasions, as well as his masterly Productions in the *Free-Briton*, and the *Gazetteer*? It is, indeed, Matter of Wonder, that *this Work* hath not yet seen the Light, were it only out of Imitation and Defiance of *You*, who have chosen this Method of submitting your Writings to a second Examination; and Mr. *Walsingham* promis'd us, upon his first setting out under that Name, that he would never write any Thing to those Times, but in View to be useful; and what he would acknowledge at all Times; tho' you have often reproach'd him with changing both his Name and his Paper, at that very Time, in order to contradict, in express Terms, what he had asserted 7 Months before, with relation to *Don Carlos*, his present most august and sacred Majesty, the King of the two *Sicilies*.

Again; what an agreeable Variety would Mrs. *Osborne's* Works afford us; whether we consider their Matter, or Style? All her *Discourses*, as she calls them, are so distinct, and follow one another in such a regular, methodical Order, that nobody can read them without finding his Understanding wonderfully enlighten'd, and his Ideas grow as clear as her own.

Then as to *Humour* and *Ridicule*, I pity *Cervantes*, *Rabelais* and *Swift*, as well as the Proprietors of their Works, if that Triumvirate of prodigious Wits, the *Hyp-Doctor*, the *Corn Cutter*, and *Sir A. B. C.* (See

p. 7.) should club the Offspring of their Brains together, and oblige the World with a Collection of their inimitable *Drollery*.

It hath been frequently objected against *these Gentlemen*, that they have acted a very ungenerous Part towards you, to whom most of them owe their Bread, and even their Being, as *Authors*. This hath been the common Complaint of all Persons in your Case; and, indeed, was never more just than at present; for no Writer had ever such Legions of *Adversaries* professedly retain'd against him, for so many Years together; and it is certain that the Moment you lay down your Pen, they must return to their primitive Obscurity. Nay, I am persuaded that if their Patron had no other Reason to desire your Silence, he would heartily rejoice in any Opportunity of dropping them; who, like other *Mercenaries*, are apt to grow troublesome and mutinous, if not constantly *humour'd*, and fed with *Plunder*. So far therefore they are indebted to you, for their present good Plight, and the Figure they make in the World. Some of them have been fetch'd down from *Garrets* and *Organ-Lests*, and others raised out of *Night-Cellars*, to participate in the *Secrets of the Cabinet*, and settle the *Balance of Europe*. Nor hath the Share they have borne in such arduous Affairs been unrewarded; scarce any have gone without some Recompence, according to their respective Merits. It is impossible to compute what Sums have been expended under this Article, besides the Charge of propagating their Works in every Corner of the Kingdom; but I may venture to apply to you, what I once heard Mr. *Whiston* say of himself, viz. that if he was to have only one Shilling in the Pound out of all the *Preferments*, that had been got by writing against him, he need not give himself any farther Trouble about the Longitude.—But when we consider that *these Writers* are employed on Purpose to throw Dirt, all *Obligations* cease; and it would be unreasonable to expect any Returns of *Gratitude* from Men, who would be undone by it.

For my Part, I look upon a popular Author in much the same Light with the Minister himself, against whom he draws his Pen. Both of Them have not only their *Envyers* and *Competitors*, who are eternally endeavouring to depreciate and supplant them; but likewise a Crowd of *Dependants* and *Followers*, who expect more than it is either prudent or possible for them to perform. I could name one of your present most industrious *Defamers*, whom I have formerly heard expatiate as warmly in your Commendation; and, upon enquiring a little into this Alteration in his Language, I could find no other Cause for it, than your refusing to publish several Papers, which he had sent you; upon which he immediately resolved to revenge such an heinous Affront, by applying to the other Side, and met with that

that Encouragement from *them*, which you had so impolitickly deny'd him.

You may, perhaps, think such a Method of Proceeding unreasonable; but it is natural to Mankind, when they are once seized with the *Itch of Scribbling*; and, to tell you the Truth, I begin to grow so fond of *this Letter*, that if you should not publish it in your *next Paper*, I don't know whether I may not be tempted to give it *another Turn*, and send it to the *Gazetteer*.

But in full Confidence that you will not refuse me *this Piece of Justice*, I shall proceed to something of more Importance than the Character, Conduct, or Abilities, of the *Writers against you*.

Of all the various Conjunctions of Affairs, which have succeeded one another, since your first Undertaking in the *Craftsman*, none seems to be so peculiar, in several Respects, as the present. We have seen the *chief Powers of Europe*, except ourselves and the *States General*, engaged in a War, which stript the *Emperor* of all his Dominions in *Italy*, and reduced him to the last Extremity. In vain did the *maritime Powers* interpose their good Offices, from Time to Time, with Offers of their *Mediation*, and even *Plans of Accommodation*. Yet, all on a sudden, a *Suspension of Arms*, and even *Preliminaries for a general Peace*, were secretly agreed upon by the contending Powers themselves, at a Time, when such a Turn was least expected. What the particular Articles of *this Convention* may be, or how they affect the Interests of *Europe*, can as yet be only guess'd at by the World in general, tho' it hath now been concluded for some Time, and communicated to several Courts. But as it seems to include a *new Partition of Europe*, and some considerable Variations from *that excellent Plan of Power*, which was lately establish'd by the *Treaties of Seville*, and *Vienna*; I am surpriz'd to find People so little inquisitive, or concern'd about it.

But, in all Events, we may promise ourselves *Neighbour's Fare*, at least, if not somewhat more; as we have a particular Interest with the *three great Powers*, who are principally concern'd in the present Negotiations; for,

First, We may safely rely on the good Offices of his present *Neapolitan and Sicilian Majesty*, who owes his Crown to us, for the effectual Security of *Gibraltar*, the full Satisfaction of our *injured Merchants*, and the undisturb'd Freedom of our *Commerce*, for the future.

Secondly, The *French Court* will certainly acknowledge their Obligations to us, for not interfering in their Disputes with the *Emperor*, and leaving them to make the best of their *Game*.

Thirdly and lastly, his *Imperial Majesty* hath assur'd us, in a *publick Memorial*, deliv-

er'd to our Court, that he shall never forget the Services of the *British Nation*, in the Reign of *Q. Anne*; so that we can have nothing to apprehend from him.

I shall therefore conclude with wishing my Country a *happy new Year*; even much more happy than many, that have gone before it; and am, S I R, Yours, &c.

Fog's Journal, Dec. 20. N^o 372.

Of Insolvent Debtors, with a Proposal concerning them.

Mr. FOG,

IT is impossible for a Man who has any Regard for the Good of his Country, or the Happiness of his Fellow-Creatures, to read, without great Concern, the Accounts lately published in our News Papers, in relation to the *Fleet Prison*. We are told that, notwithstanding the extensive Rules of that Prison, the Prisoners are so numerous, that there is not Room for them within those Rules, for which Reason they have lately petition'd the Court of Common Pleas, for an Enlargement of the Rules, and that no less than 4000 Prisoners have signed that Petition. Is it possible that our Members of Parliament can read such Accounts, and not take Notice of the Injury our Country suffers by such a Number of Persons being rendered not only almost quite useless, but proper Objects of Charity? Is it possible that any Man who has a human Soul can reflect upon the Cries of so many poor Infants, who are perhaps starving by the Fathers being rendered unable to provide for them a Morfel of Bread?

But the miserable Condition of the Prisoners, is not the only Grievance, the Case of their Creditors deserves Consideration, and sometimes Compassion. That a Fellow shall be allow'd to spend luxuriously within the Rules of a Prison the Estate he has fraudulently withdrawn from his Creditors, is monstrous: That an honest unfortunate Man, who might by his Industry be able, in a little Time, to pay his Creditors the uttermost Farthing, shall be prevented from so doing by the Malice of one, is ridiculous.

These Grievances I have long bemoan'd, and have heartily wish'd to be redress'd; I have therefore been attentive to every Thing that has been propos'd, or published for that Purpose; and among the rest, I perus'd, with the utmost Attention, a Pamphlet publish'd last Winter in two Parts, intitled, *the Case of Bankrupts and Insolvents considered*, &c.

The first Part is an Essay upon the Laws of Nature, and the Laws of the Land, in relation to Bankrupts and Insolvents. The 2^d Part contains the Draught of a Bill for Relief of both, and likewise for the Relief of injured Creditors. The Author in his Essay shews us,

us, that by the Nature of Things, Insolvents ought to be distinguished into four Kinds, *viz.* such as are Criminal: Such as are highly culpable, but not Criminal: Such as are some Way culpable, but rather to be pitied than punished: And such as are really unfortunate. In his Draught of a Bill, he has propos'd, I think, an easy and effectual Method for avoiding all those Inconveniencies occasioned by our Laws relating to those Insolvents; which is to subject the Case of every Insolvent, to a Trial by Jury, if any of his Creditors desire it; and to treat him according to the Verdict returned by that Jury.

Upon such Trials, a Man's Conduct would be strictly enquired into, his most secret Expence might probably be discovered; and if it should appear that he had been keeping Coaches, Horses, or Chaises, upon other People's Money, or building Houses, and living in a grand Manner, only that he might run the deeper in Debt, and defraud People of the greater Sums of Money, he could not hope to be freed from the Punishment he justly deserved, by any Management upon a Statute of Bankruptcy. The Terror of having one's whole Conduct searched into, by a Jury of Neighbours, furnish'd with Proofs, and fully instructed by exasperated Creditors, would be a continual Check upon every Man's Behaviour, and an effectual Bar to every needless Expence, because no Trader can know what Misfortunes may happen, or be fully assured that this might not at last be his Case.

Fog then gives the Heads of the forementioned Bill, the chief of which are these. That upon Petition of any Prisoner, any Justice of Peace may order the Goaler to bring him before the next Quarter-Sessions, where he is to deliver a Declaration of the Causes of his Insolvency, and a Schedule of his Effects; and the Creditors to have Notice of this. That if no Objection be made by the Creditors, the Justices at their Quarter-Session may examine into the Schedule, and may recommit the Prisoner, if it does not appear to be a full Account of his Effects. That they may examine into the Causes of his Insolvency, and order the Prisoner to be discharged as an unfortunate Insolvent: Or as a negligent Insolvent, if they find Cause: Or to recommit him as an extravagant Insolvent, where he is to remain till he gives Security for transporting himself. The Creditor may object to the Discharge of any Prisoner, and the Case to be tried by a Jury at the Quarter-Sessions, if the Prisoner does not stand charged with above 10*l.* to any one Person; and before the Judges at the next Court of Oyer and Terminer, if he stands charg'd with above 10*l.* to any one Person. If the Prisoner stands charged with any Debt of 100*l.* he may petition the Lord Chancellor, who is to name three Commissioners, in whom the Prisoners Effects are to be

vested, and assigned by them to the Creditors; and to direct Issues, if the Creditors require it. Prisoners transporting themselves to remain abroad for Seven Years. That unfortunate Insolvents be discharged from their Debts: negligent and extravagant ones from Prison only. Assignments, &c. after Bankruptcy to be void. Prisoners perjurying themselves to be punished as by the Act against fraudulent Bankrupts.

Grubstreet Journal, Dec. 25. N^o 313.

In Praise of GARRETS.

IN the first Place, no Room can dispute with Garrets for Healthfulness: Here the Air is clearer and fresher, more subject to Winds, and of course less liable to any offensive Vapours than below. As Health is the best Friend to Study, let all hard Students hither ascend: Here free from Noise and Hurry they may enjoy their Souls, either making their Court to the Muses, who love that their Admirers should approach them alone and in Silence; or perusing the Labours of the Learned, to which Thought and Retirement are absolutely necessary. When Men began to grow numerous in Cities, when Trade thereby increased and Noise of course, wise Men always chose to get out of the Way into Garrets. There have the greatest Authors lived, there resigned their Breath. There lived the ingenious *Galileo*, when he first tried his philosophical Glasses. By being in Garrets much conversant, *Boyle* and *Newton* happily formed and successfully perfected the modern Philosophy. There, and there only, could they use their Telescopes to Advantage.

The World can never make a sufficient Acknowledgment to Garrets, for the many valuable Historians they have produced. Such was the instructing *Robinson Crusoe*, equally esteemed for his Truth and Morals. Such were the learned Authors of *Tom Thumb*, of *Thomas Hickatbrist*, of *Jack the Giant-killer*, &c. There dwelt the famous Politicians, infallible Projectors, and sagacious Under-strappers of the State. Naturally do Men look up thither to find the Authors of those vastly witty Pieces, some of which daily, some weekly amuse and divert the Curious and the Idle: And indeed where else should they look for them but in Garrets? which are the liveliest Emblems of *Parnassus*, being high and difficult of Access, and abounding with learned Men. For since that comical Devil Fortune resolved to make all Poets and Wits poor; to their great Happiness they have been banished by the Consent of all Men into Garrets: For there they pay the least Rent, and there they are delivered from their mortal Enemy the Dun, whose Aspect, threatening Justice, there they cease to fear.

The Roman Satyrift tells us, that Garrets were in great Repute among his Countrymen all the Time of the Commonwealth: But when Pride and Luxury, and the Contempt of the Gods came in with the Emperors, then the Grandees left their Garrets, and let them out to the poor People; intimating hereby to us, that it was natural for them to leave their Garrets, when they became proud, luxurious, and irreligious.

As to our Society, I believe it is owing to our good Affection to Garrets, that so many of us have shone in the World, some in the learned, some in the religious. Without a Man raises his Body above his Fellow-Creatures, it seldom happens that he can raise his Mind. Lofty Garrets give us sublime Thoughts; for this Reason the Grubean Sages have exalted their Society in point of Fame above all Societies, which will endure while we have the Wisdom to live in Garrets, which will be as long as we are a Society.

Prompter, Dec. 26. N^o 118.

The Art of Acting.

THE *Art of Acting* is no more, than a connected Deduction of these plain, and natural Consequences.

1st. The *Imagination* assumes the *Idea*.

2^{dly}. Its Marks, and characteristical Impressions, appear, first, in the *Face*; because nearest to the *Seat* of the *Imagination*.

3^{dly}. Thence, impell'd by the *Will*, a commission'd Detachment of the *Animal Spirits* descending, into the dependent Organization of *Muscles*, and *Swelling*, and adapting them, in its Progress, bends, and stimulates, their elastic Powers, into a *Position*, apt to execute the Purpose; (or expresses the Warmth of) the *Idea*.

4^{bly}. Thus, the *Look*, *Air*, *Voice*, and *Action*, proper to a *Passion*, preconceiv'd, in the *Imagination*, become a mere, and mechanic *Necessity*; without *Perplexity*, *Study*, or *Difficulty*.

It may be observ'd, that there are *Degrees*, in the *Motions* here assign'd to the *Spirits*, conformable to their different Purposes. In the soft and desirable *Passions*, they slide sweet and serenely; while, in the angry and violent, they rush stormy and turbulent; swelling, wild and irregular, like the *Starts* they produce in *Mens Tempers*.

Again, whereas the active *Passions* are produc'd by a *Dissention* of the *Muscles*, acted upon by *Spirits*, effus'd from the *Brain* and the *Heart*, into every *Extremity* of the *Body*; the passive ones, on the contrary, such as *Fear*, *Grief*, *Pity*, &c. occasion a *Relaxation* or *Unbracing* in the *Nerves*, forsaken, by

a *Retreat* of the *Spirits* from the *Muscles* and *outward Parts* to the *Center*. But this Effect, as well as the other, is the immediate and necessary Consequence of an *Idea*, preconceived in the *Imagination*, and produces, by the *Languor* and *Dejection* it occasions in the *Muscles*, the *Sound of Voice*, and *Modification of Gesture*, natural and proper to the *Passion*.

Craftsman, Dec. 27. N^o 495.

Some Remarks on the Ecclesiastical Part of our ancient Constitution.

I SHALL now pay so much Regard to the ministerial Writers as to bestow a few Remarks on the Religion of our Ancestors, and see to what Causes their Bigotry, or Slavery, in ecclesiastical Matters, was really owing; tho' this Point had nothing to do with our original Dispute, concerning the civil Part of our Constitution. (See p. 603.)

I suppose it will not be expected that I should go so far back as the ancient Britons, whilst they continued under Paganism; and even the Accounts of their first Conversion to Christianity have such a fabulous Aspect, that there is no depending upon them; tho' I think it is generally acknowledged that some of them embraced the Gospel before most of their Neighbours, and not long after the Death of Christ.

But the continual Ravages of the Picts and Scots having driven them to the last Extremity, of calling in the Saxons to their Aid, they soon became their Masters; and, being as yet Pagans, persecuted the Christians with Fire and Sword, destroy'd their Churches, and left nothing in their Power undone to extirpate their Religion.

We must therefore begin with the Conversion of the Saxons, under the Reign of Ethelbert, King of Kent; from whence the Original of our ecclesiastical Constitution, or Church Establishment, is properly derived; and considering that this great Revolution was brought about by Austin the Monk, under the Direction of Pope Gregory I. it is no Wonder that the Religion of the first Christian Saxons, who had the King at their Head, was tinctur'd with the Superstition of those, by whom they were converted. Indeed, the whole Church was very much degenerated, at that Time, from its primitive Purity; and therefore Mr. Rapin observes very well, * that the English, converted in the 7th Century, are to be consider'd as in the same State with the rest of the Christian World, at that Time; since it was not in their Power to know more than their Masters taught them.

All *Christendom*, generally speaking, was infected with the Errors and Corruptions, which the *Church of Rome* had introduc'd; tho' the *Pope's Authority*, or Pre-eminence over other *Bishops*, was not universally acknowledg'd; particularly by the *Scots*, or *antient Britons*; who having been converted before the *Bishops of Rome* set up their Claims, adhered to the Principles of their first Teachers, in some Particulars; but when we reflect on the Disputes of those Times, it is plain that they had departed from the Simplicity of the Gospel, in several others; for one of the chief Matters of Contention, which was agitated with great Violence, and occasioned several Councils, was, whether *Easter* ought to be kept on the fourteenth Day of the Moon, according to the Jewish Custom; or on the Sunday after the fourteenth Day, on which our Saviour rose from the dead. Another Point was concerning the Manner of the ecclesiastical Tonsure; that is, whether the Head ought to be shaved round, where our Saviour wore the Crown of Thorns; or on the Forepart only. At last even the *Scots* and *Britons* were prevail'd upon to own the *Pope's Jurisdiction*, as well as the rest of the Island.

But tho' the *Church of England* was originally founded on a Popish Bottom, it is not to be concluded that Popery itself was the same Thing then as it was some Ages afterwards, or is at present; for the *Church of Rome*, notwithstanding all her Pretences, hath undergone many Revolutions, both in Points of Power and Doctrine, as well as other Churches. I will give some Instances of both.

And first it appears, by a Canon made in the Year 747, that Praying in an unknown Tongue was not then an established Doctrine of the Church; for the Priests were ordered, by that Canon, to teach the People the *Apostles Creed*, and the *Lord's Prayer*, in the English Language.

It likewise appears, that Image Worship, Transubstantiation, and several other Doctrines of the same Kind, were not received amongst the Articles of the English Church, in those Days. As to the Celibacy of the Clergy, it was not fully established amongst them, till at least 500 Years after their Conversion, and with almost infinite Difficulty.

As to Matters of Power, or what are call'd the Temporalities of the Church, they gain'd Ground in the same Manner, from Time to Time, just as the *Pope's Authority* prevail'd, or the Disposition of the several Kings struck in with the Views of the Clergy. But *Rapin* observes, * that notwithstanding the great Condescension of the Saxon Kings towards the Clergy, they could not retain the Privilege of choosing their Bishops and Abbots. Farther, the *Wittena-Gemots*, or Parliaments

of those Times, had the Cognizance of ecclesiastical as well as of civil Affairs; or, which amounts to the same Thing, the Laity sat in ecclesiastical Synods, and had a Share in making Canons. They frequently exercis'd the Power of electing and depriving Bishops. *Rapin* gives us several Instances of this, † particularly *Britelm*, who was not only promoted to the See of *Canterbury*, but afterwards deprived of it by the *Wittena-Gemot*, in the Reign of King *Edgar*; and, in that of *Edward the Confessor*, another Archbishop of *Canterbury* was turn'd out of his See, by the same Authority.

From these Instances it appears, says *Rapin*, that the *Wittena-Gemot*, or Mycel Synod, was an ecclesiastical and political Assembly, at the same Time; and that all Affairs, relating both to Church and State, were indifferently debated there. It was not till long after, when the Papal Authority was grown to a great Height, under the Norman Kings, that the Clergy claim'd the Privilege of debating apart all Matters, which in any wise related to Religion, in ecclesiastical Assemblies, or Synods.

The general Ignorance of the People, not only in England, but in all Parts of Europe, was plainly derived from another Source than any Defect, or Iniquity, in the Constitution of their civil Governments; I mean the very low Ebb, to which Learning was reduced, by the Ravages of the Northern Invaders; and the continual Wars, with which they were infested for several Ages, before they arrived at any fix'd Settlement.

Besides, the most dreadful Part of that ecclesiastical Artillery, which *Mrs. Osborne* hath painted in such pathetic Colours, (see p. 603.) was not invented till several Ages after the first Establishment of Christianity in this Kingdom, as will appear in the Sequel.

[To be concluded in the next.]

Fog's Journal, Dec. 27. N° 373.

Character and Fate of the Marechal D'ancre.

THE Marechal D'ancre, in the Minority of *Lewis XIII.* of France, like *Sejanus*, was the Minion of Favour; his Original was rather lower than that of the Favourite of *Tiberius*; he came into France a private Gentleman of no Fortune, in the Retinue of *Mary of Medicis*, who to the Misfortune of France, was married to *Henry IV.* He was a Native of *Florence*, and his Family-Name was *Concini*, but having purchased the Lands of *D'ancre* he took the Title of *Marquis D'ancre*, and afterwards, without Merit, was made a *Marechal of France*, by the Name of *Marechal D'ancre*.

* Vol. 2. p. 125.

† Vol. 2. p. 182.

When this Gentleman found he had gain'd some Ascendant over the Queen, who was Regent (her Son being then an Infant) he thought of nothing but building up a great Family, and all the Measures, while he had Power, were calculated, not for the aggrandizing of *France*, but his own House, at the Expence of *France*. There was not a Man of Sense in the Kingdom, but what plainly saw it, so that by Degrees he became universally odious to the People; but what was worse for him, he at last, by his overbearing Behaviour, made himself disagreeable to the Court, to such a Degree, that they resolved (if possible) to get rid of him; but the Question lay, in what Manner. It was at first proposed, that he should be accused and tried before the Parliament of *Paris*, but many Objections were made to this Kind of Proceeding. It was taken for granted, that if he was out of the Way, by whatever Methods it was effected, the People would be easy; and therefore private Orders were given to *Vitri*, a Captain of the Guards, to take an Opportunity to dispatch him, which was executed by a Pistol-Shot in the middle of the Day, as the Mareschal was passing over the Bridge, over-against the *Louvre*, on August 24, 1617.

It may be imagined, that the Rumour of this Stroke ran quick thro' all the Streets in *Paris*, and the People overjoy'd, flew to the Place of Execution, they drag'd the Body thro' the Streets, 'till they came to *Pontneuf*, where it was hung up by the Heels upon a Gibbet, which was erected for the Execution of a Person who was one of this Mareschal's Enemies; after it hung there for some Time, it was taken down again, and there was no Kind of Indignity, but what was offer'd to it; and if there be a Man in the World, who treads in the Steps of the Mareschal *D'arcere*, it ought to check his Insolence to reflect, that this Man, who one Day, saw a Hundred mercenary Fellows with Equipages, and Ribbons, and Titles, cringing at his Lever, was the next Day drag'd thro' the Streets, his Body cut to Pieces, and afterwards broil'd upon that Fire, which was made to celebrate the Joy of his Fall, and then thrown to the Dogs to be devoured; for so was this miserable Man treated.

The judicious Monsieur *Bayle* makes the following Remark upon the Fate of this Man. 'His Insolence, says he, gives us a sad Example of a strange Fatality which accompanies the *French* Monarchy, more than any other Government in the World, which is, that the Kings being always married to Foreigners, the Queens are observ'd to preserve Foreign Hearts, as long as they live, and more than once have been the Instruments which God in his Wrath hath made use of to humble the Pride, and punish the Sins of the *French* Nation. Two Queens of the House of *Medicis* brought *France* very near

its Ruin. What an insufferable Thing must it have been to the whole Nation to see their King become the Tool, nay, the Slave of one Man; and to continue so for several Years? And what a Baseness to observe many of the Nobility, who pretended to pique themselves upon their Families, cringing to a Fellow whom they inwardly despised and detested?

To the Author of the LONDON MAGAZINE.

S I R,

THE Publick is never more obliged to Men of Parts and Learning, than when they condescend to write for the Instruction of young People. Mr. STIRLING, Master of *St. Andrew's* School in *Holborn*, is one of these generous Persons. VIRGIL's *Bucolics*, PHÆDRUS's *Fables*, &c. have already been suited to the Capacity of young Beginners, by the Labours of this worthy Gentleman. But, what I think he deserves the greatest Thanks for, is his Edition of *Perfius*. The Style of that Author is so crabbed and difficult, that few, even of those who are not unacquainted with the other *Latin* Classics, can read him with Pleasure. How much then are we obliged to Mr. STIRLING, who has made this difficult Author easy to the youngest Scholar?

To make the Construction easy, he has placed the Words of the Author in their natural and grammatical Order, at the Bottom of the Page; and has supplied such as were omitted by an Elipsis, and yet were necessary to make the Connexion and Sense complete. He has pointed out the rhetorical Figures, and placed them at the Bottom of the Page as they occur. He has added an alphabetical Vocabulary of all the Words in the Book, with their Signification in *English*, so that those, who are possessed of this Edition of *Perfius*, have no Occasion for any other Dictionary, than what is contained in the Book itself. In this Vocabulary, as also in the Order of the Words, all Words of more than two Syllables are marked with an Accent, directing the Pronuntiation. The Themes of the Verbs, with their Government, the Tables of Nouns, and the Scanning Table, by which every Line of the Author may be scanned, are of the greatest Use imaginable to young Beginners. The Historical, Geographical and Poetical Index of the Persons and Places mentioned in *Perfius* will be satisfactory to every Body, and save the Trouble of turning over several large Volumes.

I understand the same Gentleman is publishing all the Works of *Virgil* in the same Manner by Subscription, in which I wish him the Encouragement he deserves. And I hope, as his Leisure permits, he will oblige the Publick with such Editions of all the Classics. I am, Your constant Reader, W. L.

In our last, p. 622, we inserted some Verses in Praise of Tobacco, in Imitation of the Style of Ambrose Philips, Esq; (See his Verses on Miss Carteret) to which must be join'd the following Imitations.

Of the PRAISE of TOBACCO.

Mr. POPE's Style Imitated. *

BEST leaf, whose aromattick gales dispense,
To templars, modesty; to parsons, sense;
(So raptur'd priests, at fam'd Dodona's shrine,
Drink inspiration from the steam divine :)
Poison that cures; a vapour that affords
Content more solid than the smiles of lords;
Rest to the weary, to the hungry food,
The last kind refuge of the wise and good.
Inspir'd by thee, dull cits adjust the scale
Of Europe's peace, when other statesmen fail:
By thee protected, and thy sister beer,
Poets rejoice, nor think the bailiff near:
Nor less the critic owns thy genial aid,
While supperless he plies the toilsome trade.
What tho' to love and soft delight a foe,
By ladies hated, hated by the beau;
Yet social freedom, long to courts unknown,
Fair health, fair truth and virtue, are thy own:
Come to thy poet, come with healing wings,
And let me taste thee, un-excis'd by kings.

* See *Etibick Epistles*.

Mr. THOMSON's Style Imitated. †

O Thou, matur'd by glad Hesperian suns,
Tobacco! fountain pure of limpid truth,
That look'st the very soul: whence pouring
thought
Swarms all the mind; absorb'd is yellow care,
And at each puff imagination burns;
Flash on thy bard, and with exalting fires
Touch the mysterious lip that chaunts thy
praise,
In strains to mortal sons of earth unknown:
Behold an engine wrought from tawny mines
Of ductile clay, with plastic virtue form'd,
And glaz'd magnific o'er, I grasp, I fill
From *Pæotbeke* with pungent powers perfum'd,
Itself one tortoise all, where lives imbib'd
Each parent ray, then rudely ram'd illume
With the red touch of zeal-enkindling sheet,
Mark'd with *Gibsonian* lore; forth issue clouds
Thought-thrilling, thirst-inciting clouds around
And many-mining fires; I all the while
Lolling at ease, inhale the breezy balm;
But chief when *Bacchus* went with thee to join
In genial strife, and orthodoxal ale,
Stream life and joy into the muses bowl.
Oh! be thou still my great inspirer, thou
Mymuse, oh! fan me with thy zephyrs boon,
While I, in clouded tabernacle shrin'd
Burst forth all oracle and mystic song.

† See his *Seasons*.

Dr. YOUNG's Style Imitated. ‡

CRITICS avant, Tobacco is my theme,
Tremble like hornets at the blasting
steam,

And you, court-insects, flutter not too near
Its light, nor buz within the scorching sphere.
Pollio, with flame like thine my verse inspire,
So shall the muse from smoke elicit fire.

Coxcombs prefer the tickling sting of snuff,
Yet all their claim to wisdom is—a puff;
Lord *Fopling* smokes not, of his teeth afraid;
Sir *Taudry* smokes not, for he wears brocade.
Ladies, when pipes are brought, affect to swoon,
They love no smoke, except the smoke of
town;

But courtiers hate the puffing tribe—no matter;
Strange, if they lov'd the breath that cannot
flatter.

The tainted templar (more prodigious yet)
Rails at Tobacco—tho' it makes him spit.
Catrona vows it has an odious stink;
She will not smoke (ye gods!) but she will
drink.

And chaste *Prudella* (blame her if you can)
Says pipes are us'd by that vile creature, man.
Yet crowds remain, who still its worth pro-
claim, [same;

While some for pleasure smoke, and some for
Fame, of our actions universal spring,
For which we drink, eat, sleep, smoke, every
thing.

‡ See the *Universal Passion*.

ERRAT. In the Verses in Imitation of Mr.
Philips, v. 15, 16. read

When agen the cricket's gay
(Little cricket full of play)

Damon and Colin: A Pastoral.

TO thee, O Pan, as guardian of the swains,
As chiefest songster, on th' Arcadian
plains,

Thy suppliant sues, do thou inspire my song,
For rural lays, to *Sylvan* gods belong.

—Two comely swains, both musical, both gay,
Alike inspir'd, with songs they pass'd the day;
As o'er the plain, their fleecy care they led
To drink the crystal stream, young Damon said,

Damon.

Seest thou not, Colin, how each mead, and
field,

With flow'rs adorn'd, delightful prospects yield;
Hark, how the feather'd choir, in concert sing,
With grateful harmony, they hail the spring:
Happier by far, to live in humble cells, [dwells.
Than in those climes, where raging discord
Colin.

To thee, O Pan, our happiness we owe,
For from thy bounty, all our comforts flow.
But ah, *Silvander's* death must pain create,
When I reflect on his unhappy fate:

Nor thou (the loveliest of the rural throng)
Deny, but deign, to listen to my song.

Damon.

Under yon shade, secure from the sun's heat,
(Where cooling zephyrs make a calm retreat)
Let's sit, and while around, our wantons play,
Yon murm'ring brook, I'll listen to thy lay.

Colin.

To a dark grott, whose unfrequented shade,
By time defac'd, a dismal scene has made,
Where dreary night as empress reigns alone,
Her seat the cypress, and the yew her throne;
Thither they bore th' unhappy shepherd swain,
Pride of the field, and pleasure of the plain;
Around the breathless body of their friend,
The mournful swains, and weeping nymphs attend;

Already from his pallid cheeks, the rose
Was gone, his lips the livid hue disclose.
No more in pleasing notes the rural swains
Vie with each other, in alternate strains:
No more the nymphs, upon the flow'ry mead,
Delight with swains, the mazy dance to lead;
The cheerful birds, no more from spray to spray,

With warbling musick, usher in the day:
Sorrow, and weeping, in each face appear,
Mourning the loss of one they held so dear;
And while *Dione* seiz'd with wild despair,
Her mantle torn, and with dishevell'd hair,
Clasps in her widow'd arms the lovely youth,
Fam'd for his beauty, constancy, and truth,
The hollow winds that whistle round the plain,
In direful murmurs, echo to her pain;
They waft her sighs, to ev'ry vocal grove,
And tell the fate, of her unhappy love.
With deep distress, they view th' unhappy maid

Sunk in despair, while mournfully she said,
"Ye dear companions, all our comfort's gone,
Our hopes, our joys, were fix'd in him alone;

"Could I his blooming beauty once retrieve,
"With him for ever would I chuse to live;
"At morn, to distant plains, with him I'd go,
"Tend on his flock, no sorrow should he know:

At noon when grateful sleep his eyes should
On beds of flow'rs, he then should have repose;

With pleasure would I watch his harmless sheep,

Pleas'd with his flock, desirous he might
But ah too late! then why this inward grief,
Since tears, and sighs, will yield me no relief?

No more.—Ye *Naiades* from the fountain's

Come with the daffodil, in all it's pride,

The violet, and rose, *Napææ* bring,

With all the blooming beauties of the spring,

Around his body all your odours strow,

And join with me, in this excess of woe,

—Mourn all ye muses, all ye graces moan,

The loss of dear *Silvander* dead, and gone."

Damon.

Oh *Colin*, pride of every shepherd swain,
Thou ornament to the *Arcadian* plain,
Such thy melodious voice, so sweet thy song,
List'ning to thee, thou charm'st th' attentive throng:

Henceforth, no shepherd dare with thee contend,
But gaze with rapture, and thy songs commend.

—My lowly cottage, yonder vale sustains,
Secure from winter's blasts, and stormy rains;
A-down the hill let's drive our fleecy care,
And thou this night partake of homely fare.
Behold, the sun to westward takes his way,
And length'ning shades shew the decline of day;

See homeward pacing the unyoked beast,
While dreary night invites us all to rest.

A Song, on the celebrated Mrs. E — n E — s.
To the Tune of What though they call me
Country Lads.

UNHAPPY he, who in despair,
Spends all his time in sighs — a
Who, like me, courts some cruel fair,
That will his love despise — a,
Laugh at his restless nights and days,
And at his passion smile — a,
Rejoice the most when she can tease,
And him with art beguile — a.

N — y that nymph whom none excel
Has captivated me — a:

For, with that nymph the graces dwell,
Who then can wonder she — a

Does ev'ry swain her captive make
And ev'ry heart enflame — a;

She's all divine, divine her look,
A goddess, but in name — a.

Her silver locks so brightly shine,
They dazzle ev'ry eye — a,

Her snowy skin shows ev'ry vein
Bluer than *Tyrian* dye — a;

Her arm so white, so round, so smooth
So soft, so sweet her hand — a,

They all combine to make us love;
She may the world command — a.

She is so modest past compare,
Her motion makes her blush — a;

She's fairest 'mong ten thousand fair,
When e'er she speaks gods hush — a.

Her shape out-paragons all wit,
Description would be dull — a;

Attempts to praise wou'd dispraise it,
Her eyes are bright and full — a.

Oh! may she live from sorrows free,
And pains that may torment — a,

And know no grief but loving me,
And she shall be content — a:

For, I that grief with joy wou'd ease;
But oh! she'll not consent — a:

My chiefest care shou'd be to please,
My life to please her spent — a.

The RING. Written in Imitation of a Poem called the Hat. Occasion'd by the Gift of a Ring from a young Lady at parting, celebrated under the Name Sylvia.

*Happy the bands that wear thy sacred rings:
They'll teach those bands to write mysterious things.* COWLEY.

WHETHER in wild advent'rous dance
This all by blind unactive chance
Fortuitous does move;
Or rather rul'd by *Jove's* wise reign
A beauteous harmony maintain;
It is not mine to prove.

'Tis certain in one constant round
War, want, peace, plenty's dancing found
The mystic ring of fate:
All from the mighty circle flow,
The muse shall prove, our joy, our woe,
And wond'rous truths relate.

To *Sylvia* this lay is due:
Nor thou, sweet maid, disdain to view
The tribute of the ring:
Hence (trust the lore and sacred verse)
Sprung bright *Pandora's* and good — curse;
And hence I love and sing.

O thou unlock thy sacred stores,
Great circle; may thy various pow'rs,
As erst, unfolded lie:
The muse with rising rapture fir'd,
With *Homer's* voice shall sing inspir'd,
And view with *Euclid's* eye.

Thus while deep *Aristotle* sought
With all the piercing reach of thought,
To trace the winding arch;
Lost, he beholds with just surprize
A reg'lar maze around him rise
And wild, elude his search.

Eternal myst'ries here confin'd,
Here beauty with perfection join'd,
A wond'rous scene compose:
From rest, see! motion draws its birth;
From fruitful nothing, lo! call'd forth,
The mystic being rose.

Does not all nature own thy sway,
And thousand worlds thy pow'r obey,
In circling journeys roll'd?
World against world would wildly rush,
And straggling orbs each other crush,
But by thy laws controul'd.

Not to digress beyond my sphere —
The most minute philosopher
Will shew by demonstration
(Who just with art sufficient, proves
And astronomic can, earth moves)
The doctrine I was preaching.

Full of the jolly god and wine,
While eddies whirl the abstracted mind
In wild fantastic rings;
Snatch'd from the rig'rous hands of fate,
The wretch derides want's galling weight,
Nor envies scepter'd kings.

But what tho' giddy fancy stray,
In rings and circling eddies play?
What boots us airy bliss?
Why bliss is ratify'd by thought:
Hence I now write, hence kings have fought,
Heav'n's tasted in a kiss.

Whence else can one the self-same thing
Seeming antipathies thus bring,
One's meat, another's poison?
Can heterogeneous qualities
From the same principle arise,
But as our fancy dyes 'em?

Poor *Pug* from woods (prepost'rous doom!)
Curst captive in fair *Cloe's* room,
His ring and fate detain:
How happy wou'd *Fidelio* be,
To share thy milder destiny,
And wear his rival's chain?

While great *Sir Plume* a vassal lies
To haughty *Cælia's* sparkling eyes,
Her radiant form admires;
Me *Sylvia* with far other charms
Her faithful slave no less disarms,
And warms with softer fires.

Tho' thou art brown; tho' *Cælia* bright
With orient rays of new-sprung light
Dazzle the world below:

Thy milder beams (dear maid) dispense
A warm, kind, genial, influence;
While *Cælia's* freeze with snow.

Soft as the down of swans that skim
Along *Mæander's* winding stream,
Thy mind, their voice too thine;
While spotless as their plumes, thy soul
Adds beauteous lustre to the whole,
And makes thee all divine!

In vain has nature thee deny'd
A gaudy face and glaring pride;
Thy sex's empty praise:
Bold fancy from thy unsully'd mind
Draws brighter charms, and makes thee shine
With more than *Cælia's* rays.

Blest with thy pow'r and gentle sway,
The hours unheeded roll'd away,

In joys and soft delight:
But ah! what grief attends my ring?
At once those golden moments wing
Their everlasting flight.

Unhappy *Sylvia* must be gone;
Too soon the killing tale is known:
She sighs — fates cruel prove:
Receive (says she) — A ring bestows;
The dear! sad! pledge of love and woes,
Woes sharp, and hapless love!

Thus while some knight *Merlin* retains
In airy bonds and magic chains;
(As say your learn'd romances)
'Midst stately castles while he roves,
Delicious walks and shady groves;
Bright scenes of poets fancies:
Or to some visionary dame,
Deluded vows eternal flame,

In am'rous mood converses :
 If chance invade some potent sprite,
 With mystic ring and mu't'ring rite,
 She charms, and all disperses.
 Oh! wou'd my stars with thee combine,
 And *Jove* propitiate my design;
 No more I'd blame my fate :
 In lasting ties the ring should bind
 Our souls, the *loves* have long erst join'd,
 And *Hymen* all compleat.

W. B——r.

The last of the Letters mention'd in our Magazine for October, p. 569, was not sign'd Archilochus.

THE ACTOR'S EPITOME.

HE, who wou'd *act*, must *think* : — for,
 thought will find
 The art, to form the *body*, by the *mind*.
 Weigh, for example, these few *maxims*, right;
 And steer your course by the *befriending* light
 On the rais'd neck, oft mov'd but ever *strait*,
 Turn your *unbending* head with *easy* state.
 Shun *rambling* looks. — Fix your attention
high;
 Pointedly earnest; meeting eye, with eye.
 Spread be your opening *breast*: oft *chang'd*
 your *face*:
 Step, with a *slow* severity of grace.
 Pausingly warm, (significantly) rise;
 And *affectation's* empty swell despise.
 Be, what you *seem*. — Each pictur'd pas-
 sion weigh; [must say.
 Fill, first, your *thoughts* with all your *words*
 Strong, yet *distinguish'd*, let expression *paint*:
 Not straining mad, nor negligently *faint*.
 On rising *spirits*, let your *voice* take wing:
 And *nerves*, elastic, into *passion*, spring.
 Let ev'ry joint keep time; each sinew bend:
 And the *spot* soul, in every *start*, ascend.

ON ST. CECILIA'S DAY. In Praise of Musick.

WHAT secret magick dwells in airy
 sound, [bound;
 What unseen joys from trembling strings re-
 How loudest passions gentle airs controul,
 How musick pleases, and commands the soul;
 Is the great subject: goddesses supreme
 Of musick, as of verse, improve the theme:
 No single muse can reach the various song,
 So loudly charming, and so sweetly strong:
 Your every instrument harmonious join,
 Sound all *Parnassus*, and sing all ye nine.

Such heavenly concerts, it is said, you play,
 When circling months bring round th' auspi-
 cious day [stood,
 On which your king was born; when *Delos*
 Took root in ocean, and brought forth the god.
 No sooner silver streaks the skies adorn,
 And shew th' approaches of that sacred morn,

Than strains unnumber'd from each quarter
 rise,

Each goddess sings, and every finger flies:
 The loud-tongu'd joy in quivering circles floats,
 The enamour'd hills revive the dying notes.
 Of thousand pleasing sounds at once begun,
 Each sound is various, and yet all are one.

Hail! soft musician, beauteous, heavenly
 maid,

(In poetry we may invoke the dead)

Inspire these transports you have often rais'd,
 In musick, like your own, you should be prais'd.
 What extasies were thro' the ear convey'd,
 When angels listen'd, and *Cecilia* play'd?
 Admiring angels sloop'd attentive down,
 Pleas'd with a piety so like their own.
 So well, fair faint, the powers of sound you
 knew,

The praise of musick is the praise of you.

Musick has charms to sooth the rudest breast,
 And calm sharp sorrow into easy rest:
 Th' afflicted mourner bears away his pains,
 And list'ning slaves forget they are in chains.
 Musick can warmth to every heart inspire,
 And raise the trembling with unusual fire:
 The coward reddens, and, advent'rous grown,
 Stands wond'ring at a courage, 'not his own.
 Sound can assuage that passion it began,
 And melt the hero down again to man.
 Fierce tigers wept, and bending oaks obey'd,
 Even hell relented, when an *Orpheus* play'd:
 The snakes uncurl'd hung down the fury's
 head,

And envy pity'd what the charmer said.

High on the stern condemn'd *Arion* fate,
 His prayers fruitless, and resolv'd his fate:
 He views the foaming surge, and angry skies,
 But louder tempests in his bosom rise:
 His harp across his arm the artist flings,
 And wakens into sound the sleeping strings.
 But ah! what airs shall the musician find,
 To speak the various tumults of his mind?
 Now on a slowly-moving string he sighs,
 The plaintive sound in hollow murmur dies:
 Now, like his heart, alternate fingers beat,
 The throbbing chords his wretchedness repeat:
 Now the shrill strains he doubles, now divides;
 And thro' successive *fuges* harmonious slides:
 Majestick now he strikes a solemn air,
 Now in wild rapture touches every where:
 The swelling notes melodiously aspire,
 And, quick as thought, he sweeps the tremb-
 ling lyre, [ey'd gods

He play'd, nor play'd in vain: the blue-
 (Such deities, they say, inhabit floods)
 Hear his enchanting grief, and round him
 throng,

And every nymph with tears approv'd his song.
 O'er the white billows *Neptune's* chariot flew,
 No more the billows foam'd, the tempests blew.
 Obsequious dolphins round the vessel strove,
 And shew'd, in sportive dace, officious love;
 Some on their backs the falling artist bore,
 And row'd him grateful to the distant shore.

Th

*The Invitation to a Robin-Red-Breast. As
set to Musick by Dr. Greene.*

Domestick bird, whom wintry blasts
To seek for human aid compell,
To me for warmth and shelter fly,
Welcome beneath my roof to dwell.
Supplies, thy hunger to relieve,
I'll daily at my window lay,
Assur'd, that daily those supplies
With grateful song thou wilt repay.
Soon as the new-returning spring
Shall call thee forth to woods and groves,
Freely revisit then the scene,
Which notes; as sweet as thine, approve.
But if another winter's frost
Shou'd bring me back my guest again,
Again with musick come prepar'd
Thy friendly host to entertain.
The sacred power of harmony
In this, its best effect, appears,
That friendship, in the strictest bands,
It both engages and endears.
In musick's ravishing delights
You feather'd folks with men agree:
Of all the animated world
The only harmonists are we.

*From a Country Parson to a Country Squire.
In Imitation of Hor. Lib. I. Epist. V.*

IF you can sit on an old three-legg'd chair,
Sup on a sallad, and such paltry fare,
As a poor tatter'd parson can afford,
Descend this night to grace my homely board.
But where the wine my guest to entertain?
No generous Burgundy! No brisk Champagne!
My Port all out!—how then shall we regale?
Faith! you must e'en take up with muddy ale.
You have *terse claret*.—I'm asham'd to ask—
But—pr'ythee—be so good—to send a flask.
Joan (if she don't get drunk before you come)
Will scour my pewter, and will sweep my room.
A-while the drudgery of dull books give o'er;
On Dalton's country justice cease to pore;
Leave warrants to your clerk; let me prevail
To save a poaching rogue one night from gaol.
No business on to-morrow can be done;
'To-morrow's Sunday; you may snore till noon;
Let then the sparkling glass, like *Harvey* bright,
And chat diverting stretch this summer night.
'Tis not worth while to hoard my little pelf;
I'll spend it on my friends—and on my self.
He, who, like *Gripus*, pines amidst his store,
Scraps for a booby heir, or spendthrift whore,
Is touch'd with madness, of a raging kind,
'He most consuming canker of the mind.
I long to quaff the lazy hours away,
Nor value, while I'm tippling, what folks say.
Jocund with liquor, friendly we impart
The pleasing secrets of an open heart;
Enliv'ning hope now feeds the famish'd eye,
And represents the yielding charmer nigh;

Wine makes a sneaking run-away pretender
As stout, as is our quarlike faith-defender;
A jovial bumper drowns oppressive care,
And bids the meagre curate not despair;
Prompts empty Y—s to prate, yet never think;
Ev'n *Horace* can be witty—when in drink.
I, in torn cassock, and a threadbare gown,
If tipsy, huff a dun, look big, and frown.
My wife, if not in a damn'd dogged mood,
Will find us napkins, tolerably good;
No greasy cloth, offensive to the sight,
Shall make you snuff your nose, and bid good-
night;
My jugs shall all be wash'd, my glasses clean,
And nothing dirty—but myself, be seen.
No pension'd prouling spies shall damp our
mirth;
I hate 'em of all scoundrels upon earth. [ther,
Avant, such pimps!—When we are met toge-
You'll find none here, but birds of the same
feather.
My honest neighbour *Manly* I'll invite,
And to 'squire *Briton* I design to write;
I wou'd Sir *Artbur*—but he daily sips
Delicious nectar on celestial lips. [friend.
Here's room enough for you, and for your
My guests are few—and sound, you may depend.
If louts on justice-business croud your hall,
Whip out at the back-door, and bite 'em all.

Epitaph upon Mr. — Foot.

HERE lies one Foot, whose death may
thousands save:
For death himself has now one foot i'th' grave.

Epitaph upon an old covetous Usurer.

YOU'D have me say, Here lies *T. U.*
But I do not believe it:
For after death there's something due,
And he's gone to receive it.

OLEA.

AT quem jam videor clangorem audire tubarum
Vox hominesque sonat.
Agmina densato procedunt milite castris,
Acriter arma parant.
Germanum agnosco tristem Britonemq; ferocem,
Et Batavum arte parem.
Componit turmas, hostem expectatq; minacem,
Foedere juncta manus.
Adversis campo apparent quos Gallia mittit
Sardinæque viri.
Et lente incedunt Hispani signa superbi;
Ferreus horret ager.
Fœcunda bastarum segete et fulgentibus armis,
Grande movetur opus.
At Pallas ramis oleæ delapsa per auras
Bella tremenda vetat.
Angliaci subito clauduntur limina Jani,
Buccina rauca filet.
Compositis omnes armis venerantur olivam;
Territus orbis evat.

The OLIVE.

WHEN impious war the guilty world alarms,
And jarring nations meet in hostile arms, [play,
O'er the dire plains their threat'ning ranks dis-
To try the fortune of a doubtful day;
With mingling dead the plains are cover'd o'er,
And thund'ring cannons shake the sounding shore;
If the blest olive waves with signs of peace,
Through all the host tumultuous clamours cease;
Th' exulting croud are dazzl'd with surprize,
And on the pleasing omen fix their eyes;
The gladdening news fame's hasty pinions bear,
And shouts of joy salute it from afar;
Welcome as to the darken'd earth the light,
Welcome as pleasures, that unpall'd delight.
But oh! *Britannia's* frigid climes refuse
This beauteous plant to crown the native muse:
Unknown to flourish in so cool an isle,
The fruitful olive seeks a warmer soil;
Where from on high *Sol* darts prolifick rays,
And o'er the globe his genial warmth conveys.
Hence on *Campania's* spacious plains are seen
High waving forests of immortal green,
Whose spreading branches a long shade extend,
And with their liquid fruit luxuriant bend;
Pregnant they swell with floods of living oil,
And with rich plenty bless the labourers toil.
Happy the bard, the verdant groves inspire,
And fill with raptures of poetick fire;
Smooth as their oil his easy numbers flow,
And like their green a spring eternal know;
While circling wreaths his happy temples grace,
Made by the guardian goddess of the place.
Hail sacred olive, great *Minerva's* care,
For ever blooming and for ever fair,
With lasting honours crown'd ordain'd to be
The emblem and reward of poetry!
No more let *Italy* so proudly boast,
This tree the produce only of her coast:
Do you, great patrons of this happy place,
Vouchsafe our labours with a smile to grace;
Pallas shall fix her favourite olive here,
And **Merchant-Taylors* its green honours wear.

To an ingenious Writing-Master in the City of
H—, who by an unfortunate Accident is
in Danger of losing his Right Hand.

MAY heaven betimes the dreaded fate
withstand,
Avert the stroke, restore and save your hand;
Speak with'd success to all the means of art
Made use of to relieve and ease your smart.
But shou'd (alas!) my wishes prove in vain,
And rigid fate the contrary ordain;
How quickly wou'd chirography decay,
And all its lively beauties fade away?
Those bold judicious strokes that charm'd be-
fore, [more)
(To think the hand that made 'em was no

With deep concern wou'd fill my anxious mind,
And leave a melancholy scene behind.
What deep concern must seize the beauteous
fair? [your care,

How wou'd the sprightly youth, beneath
With minds dejected your affliction share?
No more to trace your exquisite designs,
Nor copy after your ingenious lines.

But let not dark surmises wound your breast;
With resignation wait, and hope the best:
Indulgent heav'n permits us to be cross,
And on the ocean of affliction tost,
To prove our faith; but soon dispels our grief
With beams of soft compassionate relief.

And may the grand disposer of events,
Who to unseign'd repeated cries assents,
Vouchsafe to dissipate your anxious fears,
And crown your life with many joyful years.

J. M.

ÆNIGMA.

Ladies,

AS by th' unerring laws of nature,
The silk-worm (self-destroying creature)
Consumes her bowels to array
The rich and great, polite and gay;
So I, by various rules of art,
T' improve your charms, spin out my heart.
I've been ere since I first began,
The comfort and the pride of man.
For great celerity I'm noted,
And by th' inspired penman quoted;
Swift as an arrow from a bow,
Is my wing'd motion to and fro;
Tho', at the pleasure of my master,
'Tis sometimes slower, sometimes faster.
I'm of a diff'rent shape and size,
Have neither head, nor tail, nor eyes;
Yet all m' exterior parts agree
In perfect similarity.

The life of thousands I sustain,
And cloath the naked helpless train;
To all my services extend,
And each degree of life befriend.
In sacred writ my name appears
An emblem of man's fleeting years.
Now, lovely nymphs, 'tis yours to tell
My name, and where I chiefly dwell.

J. M.

Paraphrase on PSALM 100.

O ALL ye sons of human race,
Rejoice in heav'n's eternal king;
With gladness come before his face,
And hallelujahs to him sing.
Know that the Lord is God supremum,
By whose all-forming hand alone
Was rais'd from dust our mortal frame;
We are his stock, he doth us own.
Approach, with loud thanksgiving songs,
The portals of his courts divine,

* The above Verses were spoken by a Lad of Merchant-Taylors School, on a Doctors Day.

Laud

Laud him to whom all pow'r belongs,
And to his name your praises join.
For good and gracious is the Lord,
His flowing mercy knows no end;
The truth of his most sacred word
To endless ages shall extend.

J. M.

PSALM the 139th, Paraphrastically Imitated.

THO' envious men my injur'd life defame,
And seek with lies to blast my rising
name;

To thee, great God, my spotless soul dares flee,
From crimes like those thou know'st her wholly
free. [know,

Thou, Lord, the closest of my thoughts dost
Or unconceiv'd, the springs from whence they
flow.

My words and actions are to thee reveal'd,
Nor from thy presence can I lie conceal'd.
For human thought thy knowledge dwells too
high,

I'm lost in wonder when th' abyss I try.
Say, in what clime (for thou alone canst tell)
Remote from thee my exil'd soul may dwell?
Born thro' the middle regions of the air,
Shall she unto thine ample courts repair?
Or on swift pinnions from the realms of light,
To Stygian darkness bend her speedy flight?
Or with the early dawn of purple day,
On morning wings mount and soar swift away?
That sacred hand that must my flight sustain,
Explores the cavern where I lurk in vain.
The gloomy horrors of the lonely night,
I think perhaps shall screen me from thy sight,
Then round me bursts a flood of silver light;
Such slender darkness nought can hide from
thee,

For where thou com'st the rising shadows flee.
Thou see'st each passion harbour'd in my breast,
Subdu'st their rage and speak'st them all to rest.
Before each member to exist began,
Thou call'd'st and bid'st arise the future man.
On my contexture as I fix my eyes,
I praise thy wisdom with a deep surprize.
Whilst in the chambers of the womb I lay,
A rude unfashion'd lump of shapeless clay;
Each growing part thy conscious eyes survey'd,
And towards perfection every step they made.
In secret form'd as in the depth of earth,
Thou limn'd'st them all, and call'd'st them forth
to birth.

By thee conducted thro' the mazy road,
Th' adventurous paths of life secure I've trod.
How oft from dangers rescued have I been,
And found thee present thro' the changing scene!
With far more ease the sands, that scatter'd lie
Along the beach, to reckon up I try.
Each morn my soul, new rais'd to life again,
Repays thy kindness in a grateful strain.
Tho' late, thy foes sure vengeance shall pursue,
I'll hold no commerce with th' abandon'd crew.
Who ever shall thy sacred laws reject,
By me be treated with the same neglect.

But O! do thou examine well my soul,
Range ev'ry part and purify the whole.
From ev'ry dross thy servant's heart refine,
Wash ev'ry stain, and make it wholly thine.

Psalmus 8vus Latine redditus per Gulielmum
Lillium, e Coll. Reginæ Cantabrigiensem.

TE, Deus, ante alios laudem; quam gloria
currit

Patris & æterni volitat super æthera velox!
Nominis immensi splendor tremescit Olympum,
Mundus & ipse pavet, dum te meditetur inanis.

Ore tuam celebrat famam dum parvulus infans,
Dum propter tenues, nescit percurrere rerum
Ordinem, adhuc annos; dum non sentire valebat
Patrem qui genuit, matrisq; ignarus amantis
Solum nutricis blandæ exardescit amore;
Tunc etiam sentit, sentit tua numina, magne
Rerum epifex; sileant ergo valeantq; superba
Et capita inclinent omnes, quicunq; negarunt
Esse Deum terris, nutu qui cuncta gubernat.

Ast ego sylvestri crebro meditabor in umbrâ
Facta manu, coelos, præclarâq; lumina cæli,
Phœbeas faces, tacitæq; silentia luncæ,
Omnia quæq; tuis digitis fundasti, supreme
Cœlicolûm rector! mihi talia sed meditati
Obstupuit subito mens—Lingua silentia rupit,
Nec potuit deinceps voces retinere diserta;
Quid faciant homines ut amorem sic mereantur?
Quidve potest facere mortalis origine natus?
En! quantâ curâ circumspicis undique factos
Ex luto; cum sint omnino pulvis & umbra.
Agmen cœlicolûm paulo superavit bonore,
Quiq; Dei subito portant mandata per auras;
Dum sedet in vultu divinæ mentis imago.
Quicquid ubique vides, cælum, mare, nubila
tellus,

Est homo summus, certas leges sanxit & omni.
Imperio volucris non solum obtemperat ales,
Verum imbellis ovis robustaq; cornua tauri,
Et quæcunq; suo fructu nutritq; fovetq;
Multa animalia tellus —————

Et quæ fluminis laticis teneantur in abisso.

O tu, qui semper vasto molimine terris
Imperes & præsis, habitesq; in ignibus ipsi,
Astra tenens manu cœlestia tecla gubernans,
Quam patet in toto mundo venerabile nomen!

Paraphras'd in Miltonick Verse, by the same.

TH E E will I praise and laud, my God
and King,

How glorious is thy name in all the world!
Not only earth, but heavens thy works declare,
The firmament and stars thy fame surmounts.
The tender infant hanging at the breasts
Of his beloved nurse; who yet unripe
For thought and knowledge, scarce can yet
perceive

The beauteous frame of this created world,
Form'd by the hand of omnipresent power;
Whose mind nought but confus'd ideas crowd;
Yet thee confesses, with his mouth proclaims

4 X 2

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The OLIVE.

WHEN impious war the guilty world alarms,
 And jarring nations meet in hostile arms, [play,
 O'er the dire plains their threat'ning ranks dis-
 To try the fortune of a doubtful day;
 With mingling dead the plains are cover'd o'er,
 And thund'ring cannons shake the sounding shore;
 If the blest olive waves with signs of peace,
 Through all the host tumultuous clamours cease;
 Th' exulting croud are dazzl'd with surprize,
 And on the pleasing omen fix their eyes;
 The gladdening news fame's hasty pinions bear,
 And shouts of joy salute it from afar;
 Welcome as to the darken'd earth the light,
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 But oh! *Britannia's* frigid climes refuse
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 We are his flock, he doth us own.
 Approach, with loud thanksgiving songs,
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For where thou com'st the rising shadows flee.

Thou see'st each passion harbour'd in my breast,

Subdu'st their rage and speak'st them all to rest.

Before each member to exist began,

Thou call'd'st and bid'st arise the future man.

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I praise thy wisdom with a deep surprize.

Whilst in the chambers of the womb I lay,

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Thou limn'd'st them all, and call'd'st them forth
to birth.

By thee conducted thro' the mazy road,

Th' advent'rous paths of life secure I've trod.

How oft from dangers rescued have I been,

And found thee present thro' the changing scene!

With far more ease the sands, that scatter'd lie
Along the beach, to reckon up I try.

Each morn my soul, new rais'd to life again,

Repays thy kindness in a grateful strain.

Tho' late, thy foes sure vengeance shall pursue,

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Lillium, e Coll. Reginae Cantabrigiensem.

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currit

Patris & æterni volitat super æthera velox!
Nominis immensi splendor tremefecit Olympum,
Mundus & ipse pavet, dum te meditetur inanis.

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Dum propter tenues, nescit percurrere rerum
Ordinem, adhuc annos; dum non sentire valebat
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Et capita inclinent omnes, quicunq; negarunt
Esse Deum terris, nutu qui cuncta gubernat.

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Facta manu, cælos, præclarâq; lumina cæli,
Phœbeas fates, tacitæq; silentia lunæ,
Omnia quæq; tuis digitis fundasti, supreme
Cœlicolæ rector! mihi talia sed meditantî
Obstupuit subito mens—Lingua silentia rupit,
Nec potuit deinceps voces retinere diserta;
Quid faciant homines ut amorem sic mereantur?
Quidve potest facere mortalis origine natus?
En! quantâ curâ circumspicis undique factos
Ex luto; cum sint omnino pulvis & umbra.
Agmen cœlicolâ paulo superavit bonore,
Quiq; Dei subito portant mandata per aurat;
Dum sedet in vultu divinæ mentis imago.
Quicquid ubique videt, cælum, mare, nubila
tellus,

Est homo summus, certat leges sanxit & omni.
Imperio volucris non solum obtemperat ales,
Verum imbellis ovæ robustaq; cornua tauri,
Et quæcunq; suo fructu nutritq; fovetq;
Multa animalia tellus —————
Et quæ flumine laticis teneantur in alveo.

O tu, qui semper vasto molimine terris
Imperes & præsis, habitesq; in ignibus ipsis,
Astra tenens manu cœlestia tecta gubernans,
Quam patet in toto mundo venerabile nomen!

Paraphrast'd in Miltonick Verse, by the same.

TH E E will I praise and laud, my God
and King,

How glorious is thy name in all the world!

Not only earth, but heavens thy works declare,

The firmament and stars thy name surmounts.

The tender infant hanging at the breasts

Of his beloved nurse; who yet unripe

For thought and knowledge, scarce can yet

perceive

The beauteous frame of this created world,

Form'd by the hand of omnipresent power;

Whose mind nought but confus'd ideas crowd;

Yet thee confesses, with his mouth proclaims

4 X 2 Thy

Thy sacred name — Then let those lips be
shut [power.

That dare blaspheme against th' Almighty's
But as for me, whilst in the summer's heat
Under some spreading beech I recreate
My wearied limbs, thy works shall me delight;
The heavens above with all the glittering host
Of stars which spangle o'er the firmament,
Which daily with unerring course do move,
And travel o'er the vast immense of air,
Nor ere transgress the bounds which thou hast
fix'd.

Whilst thus my soul in contemplation rapt,
Consider'd there thy works most wonderful,
Amaz'd at thy stupendous facts I stood,
When thus my tongue the long-kept silence
broke :

Lord! what is man, that thou so careful art,
And eke the son of man, for whose command
The heavens above and earthly ball beneath
Created were by thy almighty hand?
The angels bright, who with expanded wing
Bear thy commands swift thro' the liquid air,
Do man excel but by a few degrees;
Man, on whose face the venerable stamp
Of his almighty Maker sits confess'd.
All that this world, or earth, or air produce,
Or sea, are subject to his sole command.
For him with animals the waters swarm,
The earth and air likewise produce their kind,
Oxen and sheep his plenteous table grace,
The winged choristers supply his food;
And what e'er else thro' mighty waters deep
Leap on the waves or untrack'd paths pervade,
Snar'd by man's art serve to adorn his board,
Supreme of beings, omnipresent Power!
How glorious is thy name thro' all the world!

On a LADY in Mourning.

THUS fare the *Alps*, whose heads are
crown'd with snow,
Foil'd by the dusky clouds that shade its brow;
Thus artful limners shew the pictur'd strife,
When light and shade give to the canvas life;
Thus gloomy jet with polish'd iv'ry shows,
And leafy shades produce the blushing rose;
Thus sparkling jewels darksome caskets
shroud,
And thus the sun looks out beneath a cloud:
Belinda thus, when she in black appears,
Blooms beautiful amid the sable garb she
wears.

*To a LADY, who laugh'd at her Lover,
for DYING, in a Copy of Verses.*

AND, why, fair trifter, shou'd your
meaning eye [— *I die?*
Smile, with contempt, at those soft words,
'Twixt love, and death, but one small diffe-
rence lies:
The soul, in both, from its own body, flies.

In death, 'tis gone—like smoke, dissolv'd in
air,
Lost, in its flight, the loser knows not where.
In love, we trace it,—with such willing
pain,
'Twere to die twice, to take it back again.

S O N G.

1.
CORYDON on *Cbloe* doated,
Cbloe scorn'd the shepherd's pain;
To *Pbilaret* as much devoted,
Who *Daphne* lov'd, but lov'd in vain.

2.
As *Cbloe* burns for *Corydon*,
So *Pbilaret* to *Cbloe*'s eyes
A slave successful makes his moan;
For him she scorn'd, while *Daphne* dies.

3.
Love in each breast triumphant burns,
In each he shews his cruel art,
And fixes here and there by turns
The leaden and the golden dart.

4.
Learn, *Sylvia*, hence, disdainful fair,
Mutual affection to return;
Or, *Cupid*, grant thy suppliant's prayer,
Teach her to love, and me to scorn.

An Imitation of CATULLUS.

Miser Catulle, desinas ineptire, &c.

SILLY swain, the strife give over,
Yield a game you can't recover.
Once thy days were ever bright,
Happy each succeeding night;
When the lovely, loving maid
All thy tender vows repaid:
No reserves then made her coy,
All was gentleness and joy.
Once, 'tis true, thy days were bright,
Happy each succeeding night:
But, since fickle and ingrate,
She rewards thy love with hate;
From the false one bravely part,
Arm with scorn thy injur'd heart;
Never linger in despair:
Some are kind as well as fair.

Fix'd at last, I break my chains,
Love adieu! with all thy pains.
Lesbia too, perhaps will mourn,
When neglected, in her turn:
When she sits whole nights alone,
Sought by few, believ'd by none.
Who will now that bosom press,
Mad with love and sweet excess?
Who will mark those lips with kisses?
Who dissolve away in blisses?
Fix'd at last, I break my chains:
Love adieu! with all thy pains.

The

The GENTLEMAN'S Monthly Intelligencer.

DECEMBER, 1735.

MONDAY, Dec. 1.



THE Royal Society chose the Council and Officers for the Year ensuing, as follow, *viz.* Sir Hans Sloane, Bart. President, Hon. Sir John Fortescue Aland, Knt. Charles Lord Cadogan; Lord Charles Cavendish; Charles Du Bois, Esq; Sir John Evelyn, Bart. Martin Folkes, Esq; Roger Gale, Esq; Treasurer; John Hadley, Esq; Edmund Halley, L. L. D. Ast. Reg. James Hodgson, Schol. Reg. Math. Præcept. John Macbin, Ast. Prof. Gresh. Secretary; Rich. Mead, M. D. Med. Reg. Cromwell Mortimer, M. D. Secretary; Edward Earl of Oxford and Mortimer; David Papillon, Esq; Zachary Pearce, D. D. Charles Duke of Richmond; William Sloane, James West, Francis Woolaston, Esqs;

THURSDAY, 4.

The little wild Man, 34 Inches high, and 27 Years old, lately brought from Davis's Straits, was sent for to St. James's, to be seen, by Order of the Duke, and the Princesses Amelia and Carolina.

William Lee, Esq; one of the Judges of the King's-Bench, having receiv'd a Letter sign'd *Honesty, Trusty, Fidelity*, requiring him to lend them 50*l.* and to lay it in a certain Place therein mention'd, and threatening to murder him in Case of Refusal; his Majesty has promis'd his most gracious Pardon and 200*l.* Reward to any one who shall discover his Accomplice or Accomplices in writing or sending the said Letter.

The Princess of Saxe-Gottha, in the 17th Year of her Age, Sister to the present Duke, who, 'tis said, is to be married to the Prince of Wales, is descended from the Ernestine Line of the House of Saxony, which being the elder Branch, enjoyed the Electorate, till John Frederick the Magnanimous was deprived by the Emperor Charles V. the Uncle of which John Frederick was the Prince who protected Luther in carrying on the Reformation, and refused the Imperial Diadem, when offered it on the Death of the Emperor Maximilian. The Father of the said Prince was one of the Princes who entered the famous Protest against Popery, from whence came the Name of Protestants. (See p. 180.) He also joined with other

Princes in offering the Confession at Augsburg to Charles V. and was Author of the League at Smalcald against the Emperor, for the Defence of the Protestant Religion and the German Liberties; on which Account his Son was deprived of the Electorate, and the Dignity given by the Emperor to the Albertine Branch of that antient and illustrious House.

MONDAY, 15.

The Sessions ended at the Old Bailey, when 11 Persons receiv'd Sentence of Death, *viz.* Joseph Cole, for breaking open the House of John Chamberlain, and stealing Goods to the Value of 15*l.* William Mackney for Horse-stealing. John Alder, for stealing two Pieces of Sarcenet out of the Shop of Francis Sire. Robert Swannel for a Street Robbery. Burton Brace (late a Drawer at the Devil Tavern) for robbing Mr. Bardin of 4*s.* 6*d.* Ralph Resue, for stealing a Guinea from Edw. Recontier. William Wreatbocke, Peter Chamberlain, George Bird, James Ruffet and Gilbert Campbell, for being concern'd with Mac Cray in robbing Dr. Lancafter. They all being set to the Bar before Sentence, Wreatbocke was first heard, why Sentence should not pass upon him. He said, it could not be suppos'd he should have surrender'd, if he thought himself guilty of the Robbery charg'd upon him; that Dr. Lancafter did not swear to them, that there was an Inconsistency in the Evidence between Julian Brown and Dr. Lancafter; and that Brown confess'd himself a perjur'd Person at Macray's Trial. — But he did not mention who procur'd and hir'd Brown to forswear himself; or offer any Thing new, but what he had offer'd at large before at his Trial; tho' he deliver'd into Court a Writing, containing his Observations on the Evidence. Ruffet deny'd the Fact, and said he never was on Horseback in his Life, and defy'd any Body to prove he ever was off the Stones on a Horse's Back. Chamberlain deny'd the Fact, and urg'd that it was hard that five Men should die on the single Evidence (as he call'd it) of one Man. Bird spoke the most material; he said he never was perjur'd, never swore at either of Macray's Trials, nor was ever any Evidence for Macray, or employ'd by Wreatbocke or Campbell as an Evidence for them, at any of their Trials, in any of the Courts at Westminster; and (protesting his Innocence) hop'd the Court would

would therefore favour him. *Campbell* said very little as to the Fact, only deny'd it in general; but said, that *Julian Brown* was a Papist, and that his Religion taught him to take away their Lives as Hereticks; that *Julian Brown* had never taken the Oaths to the Government; and, as he heard, had never been naturaliz'd, tho' a Foreigner, so said he was not a competent Witness in Law. After these had spoke, *Burton Brace* said, it was his first Fact; that he had never been in any Gaol before, and hop'd the Court would consider his Youth, and intercede for Transportation for him. The rest said very little or nothing for themselves. After they had all spoke, the Foreman of the *Middlesex* Jury address'd himself to the Court, as from the Jury, to desire, that if any one of the Persons condemn'd with *Wreatbock* had Mercy shewn them, it might be *George Bird*; for that he, as it appear'd to them, was the only Person that was not concern'd in the Perjuries at *Marsay's* Trials at the *Old Baily* and at *Kingston*. At the said Sessions, *Anna Maria Thorn* was tried for starving her Daughter, and acquitted. *Charles Mecklin* the Player, was try'd for the Murder of *Mr. Hallam*, by violently pushing a Stick into one of his Eyes, found guilty of Manslaughter. (See p. 276.) *Charles Gardiner*, try'd for the Murder of a Porter, found guilty of Manslaughter. *Philip Williams*, try'd for the Murder of his Wife, acquitted. *Mary Walker*, tried for a Conspiracy to charge a Robbery against two Persons; found guilty, sentenc'd to pay a Fine of 5*l.* to suffer six Months Imprisonment, and to find Sureties for her good Behaviour for 12 Months.

WEDNESDAY, 17.

Was held a General Court of the S. S. Company, when Sir *Richard Hopkins* the Sub-Governor acquainted the Court, that the Directors were enabled, by the circulating Cash in their Hands, to pay off 107,600*l.* of their Bonds, which would be a Means of saving the annual Interest of three and a half per Cent. on the said Sum; and the Question being put that 107,600*l.* of their Bonds should be paid, it was agreed to. Sir *Richard Hopkins* likewise acquainted the Court, that it might be proper to borrow a Sum not exceeding the Sum of 107,600*l.* so to be paid off, in case any extraordinary Demands should be made on the Company; the Question for that Purpose being also put was agreed to; and it being moved that Sir *Tbo. Geraldine's* Memorial, delivered to the Court of Directors in *Sept.* last, should be read, the same was read, containing the Complaints of *Mr. Benjamin Woolley's* Conduct at the *Hawannab*, ready to be proved by authentick Vouchers; on which the General Court agreed, that what related to *Mr. Woolley's* Conduct should be considered by the General Court to be holden *Jan.* next; and it being also mentioned by several Proprietors, that they hoped

the ensuing Election would be a free one, and that the Directors ought not to have a distinct Power from those without Doors, by permitting of private Transfers after the shutting of the Books, the following Question was put, and unanimously agreed to, — That from and after the shutting of the Books of the Trading Stock of this Company, the 24th Instant, no Transfer (except in the Cases of Trust) shall be permitted till the ensuing Election for Governors and Directors is over, and that publick Notice thereof be forthwith given in the *Gazette* and some of the Daily Papers.

THURSDAY, 18.

Was held a Court of Common-Council at *Guildhall*, when a Petition of a great Number of the Inhabitants of *Farringdon Ward Without* was presented to the Court, setting forth how injurious it would be to the City in general, and particularly to the several Inhabitants adjoining to the Liberties of the *Fleet*, in case the said Liberties were enlarged; whereupon the Common-Council agreed to oppose the proposed Enlargement.

MARRIAGES and BIRTHS.

ISAAC Fagg, of *Hatton-Garden*, Esq; to Miss Bird, a 5000*l.* Fortune.

Wm. Morgan, of *Richmond*, Esq; to Miss Emerson, a Fortune of 15,000*l.* and 200*l.* per Annum.

Jer. Howard, Esq; to Miss *Pearsehouse*, an Heiress of 16,000*l.* Fortune.

Wm. Shaw, Esq; of *Chelsea*, to Miss *Jane Lane*, of *Roebampton*, a 14,000*l.* Fortune.

George Shelby, of *Broxborn*, *Hertsfordsh.* Esq; to Miss *Ladyman*.

George Hook, of *Lowes*, *Suffex*, Esq; to Miss *Humphreys*.

Rev. Dr. Moore, to Miss *Maud*.

Countess Dowager of *Dyffert*, to — *Warren*, of *Cheshire*, Esq;

Wm. Lacy, of *Limington*, *Hants*, Esq; to Miss *Meyers*.

Dr. Butts, Lord Bishop of *Norwich*, to the Daughter of the *Rev. Mr. Reynolds*.

Richard Warren, Esq; to Miss *Henrietta Tate*.

Jacob Morgan, of *Isleworth*, Esq; to Miss *Fotherby*.

Samuel Byam, of *Antigua*, Esq; to Miss *Grace Warner*.

Josiah Hayward, of *Stretham*, Esq; to Miss *Broughton*.

John Smith, of *Roebampton*, Esq; to Miss *Lane*.

John Reynolds, of *Hastings*, *Suffex*, to Mrs. *Malden*.

Champion Beale, of *Norrbampton*, Esq; to Miss *Wilson*.

John Medlicote, of *Parson's-Green*, Esq; to Miss *Jane Clifton*.

George Spearbrook, of *Shafton*, *Dorset*, Esq; to Miss *Lambert*.

John Wilkinson, of *Newcastle*, Esq; to the Daughter of the late *Misford Crow*, Esq;
Ralph Pannel, Esq; to the Hon. Miss *Constantia Erskine*.

Wm. Champenon, of *Devon*, Esq; to Miss *Hollings*.

Edward Morgan, of the *Haymarket*, Esq; to Miss *Anson*.

Lancelot Charles Lake, of *Harrow on the Hill*, Esq; to Miss *Gumley*.

Joseph Cornwallis, of *Staffordshire*, Esq; to Miss *Faye*.

Richard Page, of *Harrow on the Hill*, Esq; to Miss *Anne Herne*.

George Latus, of *Higb Wycomb*, Bucks, Esq; to Miss *Castle*.

Stephen Lowther, of *Lancaster*, Esq; to Miss *Houghton*.

Thomas Gladman, of *Barnet*, Esq; to Miss *Lane*.

Thomas Clench, of *Oxfordshire*, Esq; to Miss *Atkins*.

Thomas Goodchild, of *Sheen* in *Surrey*, Esq; to Miss *Johnson*.

John Boslock, of *Maidenhead*, Esq; to Miss *Edwards*, an Heiress of 16,000*l.* Fortune.

Lady Monson safely delivered of a Son and Heir.

DEATHS.

BOWATER *Vernon*, Esq; formerly Representative in *Parl.* for *Bishops-Castle* in *Shropshire*.

In *Dublin*, Dr. *Tennison*, Bishop of *Offory*.

At *Edinburgh*, Lady *Anne Erskine*, Countess Dowager of *Airly*, Wife of Sir *Alexander Macdonald*, Bart.

Tho. Taton, of *Bucks*, Esq;

John Ruffel, Esq; Brother to the late Major-Gen. *Ruffel*, and formerly Governor of *Fort-William* in *Bengal*.

Lady Dowager *Foley*, Mother of the present Lord *Foley*.

Joseph Digby, of *Huntingdon*, Esq;

John Holgate, of *Hertfordshire*, Esq;

George Wartham, of *Shrewsbury*, Esq;

Francis Eyles, Esq; a Director of the *S. S. Company* in 1720.

George Phillips, of *Apulby*, *Westmoreland*, Esq;

Rt. Hon. the Lady Viscountess *Palmerston*.

Dr. *Tanner*, Lord Bishop of *St. Asaph*, and Canon of *Christ-Church*, *Oxon*.

Rev. Mr. *Nicholas Zinzino*, formerly Rector of *St. Martin's Outwich*, *London*.

At *Ludlow*, *Shropshire*, *John Wise*, Esq;

At *Penryn*, *Cornwall*, *Edward Bendish*, Esq;

Sir *William Stenton*, Knt. formerly Commander of a Man of War.

At *Warsaw*, his Excellency Mr. *Woodward*, his Majesty's Envoy Extraordinary to that Court.

At *Bologne* in *France*, the Hon. *Henry*

Bertie, Esq; Brother to the Earl of *Abingdon*.

James Hilton, of *Cambridgeshire*, Esq;

John Hollis, Esq; one of the Governors of *Guy's Hospital*.

Rev. Dr. *William Sibthorpe*.

Samuel Clayton, of *Weobley*, *Herefordshire*, Esq;

At *St. Mary-le-bon*, *Roger Gale*, Esq;

At his House in *Sackville-street*, *Thomas Peplae*, Esq;

Spencer Frazier, of *Cornwall*, Esq;

The Right Hon. Sir *Robert Eyre*, Knight, Lord Chief Justice of the Court of Common-Pleas, a Governor of the *Charter-House*, and one of his Majesty's most Hon. Privy Council, in the 69th Year of his Age.

James Drummond, Esq; formerly a Turkey Merchant.

At *Hartburne* in the County of *Northumberland*, the Rev. Mr. *Eden*, Vicar of that Place, in the 90th Year of his Age, who had been in Orders near 70 Years.

At *Norwich*, the Rev. Mr. *John Cropps*.

The Rev. Mr. *John Burton*, Vicar of *Selling*, near *Fewersham*.

The Rev. Mr. *Nathaniel Collington*, Rector, for 59 Years, of *Pluckley*, *Kent*.

James Elding, of *Cambridgeshire*, Esq;

George Godain, of *Glamorgan*, Esq;

Joseph Rogers, of *Worcester*, Esq;

Mr. *John Elliot*, a considerable Merchant.

At *Haerlem*, *Holland*, *John Clovey*, of *Lancaster*, Esq;

Ecclesiastical PREFERMENTS.

HIS Majesty directed the Lord Lieut. of *Ireland* to issue out the necessary Writs and Letters Patent for translating Dr. *Robert Clayton*, Bishop of *Killala* and *Achonry*, to the Bishoprick of *Cork* and *Ross*, void by the Death of *Peter* late Bishop thereof: Dr. *Mordecai Cary*, Bishop of *Clonsfert* and *Kilmacduagh*, to the Bishoprick of *Killala* and *Achonry*; and for promoting Dr. *John Whitcombe* to the Bishoprick of *Clonsfert* and *Kilmacduagh*.

Mr. *Brewstone* presented to the Rectory of *Mary-Watts*, near *Bristol*.

Mr. *John Willis* collated to the Rectory of *Blebbey*.

Mr. *Douglass* presented to the Living of *Kello*, near *Durbam*.

Mr. *John Head* to the Rectory of *Pluckley*, *Kent*.

Mr. *John Arnold* inducted into the Vicarage of *Selling*, near *Fewersham*.

PROMOTIONS Civil and Military.

MAYNARD *Colchester*, of *Westbury*-Court, Esq; elected Verduror of his Majesty's Forest of *Dean*.

Mr. *Latman* appointed Page of the Presence to the Pr. of *Wales* in the room of Mr. *Westfall*, made Gentleman of the *Extry*.
Tho-

688 PROMOTIONS, &c. in DECEMBER, 1735.

Thomas Abney, Esq; succeeds *Sir John Darnell*, as Judge of the *Marshalsea* Court.

James Coventry Bulkeley, Esq; chosen a Verdurer of the New Forest, *Hants*, in the room of his late Father, *Sir Dewy Bulkeley*.

His Majesty has been pleased to make the following Promotion of General Officers in his Army. Lord *Shannon*, General of Horse. *Marquis de Montandre*, General of Foot. *Lieutenants General*. *Rich. Sutton*, *Andr. Bisset*, *Hump. Gore*, *Philip Honeywood*, *Hen. Grove*, *Ld. Mark Kerr*, *Rob. Napier*, *Rob. Dalzell*, *James Dormer*, *Tho. Panton*. *Majors General*. *Sir James Wood*, *Albert Borgard*, *Fran. Columbine*, *Rich. Franks*, *Cha. Churchill*, *Will. Barrell*, *Jasper Clayton*, *Piercy Kirke*, *Paul de Gully*, *John Moyle*, *Gervais Parker*, *James Tyrrell*, *Edm. Fielding*, *John Peter Desbordes*, *Will. Kerr*, *Earl of Hertford*, *Sir Rob. Rich*, *David Montolieu Baron de St. Hippolite*, *Ld. Dunmore*, *Ld. Scarborough*, *Duke of Montagu*, *Ld. Pembroke*, *Ld. Molesworth*, *Ld. Harrington*. *Brigadiers General*. *John Cavalier*, *Balthazar Foissac*, *Sir Dan. Carroll*, *Theod. Vezey*, *And. de Boismorell*, *Rich. Kane*, *Chs. Cockburne*, *James Douglass*, *James Campbell*, *Clem. Nevill*, *Sir John Arnott*, *Will. Hargrave*, *Hen. Cornwall*, *Hen. Harrison*, *Edw. Montagu*, *Tho. Howard*, *John Cope*, *John Middleton*, *John Legonier*, *Peter Campbell*, *John Orfeur*, *James Scott*, *Tho. Jones*, *Rich. Philips*, *Roger Handasyd*, *Hen. Hawley*, *John Armstrong*, *Ld. Tyrrawley*, *Joshua Guest*, *Ld. Catherlogh*, *Sir Adolphus Oughton*, *Ld. Cathcart*, *Cha. Otway*, *Rob. Murray*, *Will. Cosby*, *Hen. Berkeley*, *Phineas Bowles*, *Ld. Cadogan*, *Philip Anstruther*.

Geo. Whitbam, Esq; made Capt. of an Independent Comp. of Foot at *Jamaica*.

Philip Lucas, Esq; made Captain in General *Sutton's* Reg.

Sheriffs appointed by his Majesty for the Year ensuing.

For *England*: *Berks*, *Rob. Gayer*, Esq; *Bedf.* *John Crawley*, Esq; *Bucks*, *John Pollard*, Esq; *Cumb.* *John Dalstan*, Esq; *Cheesh.* *William Dodd*, Esq; *Camb. and Hunt.* *Jer. Rist*, Esq; *Devon.* *Sam. Rolle*, Esq; *Derby.* *Godfrey Watkinson*, Esq; *Dorset.* *Sam. Serrell*, Esq; *Gloucest.* *John Gladwin*, Esq; *Hertf.* *John Deane*, Esq; *Kent*, *Abr. Spencer*, Esq; *Leicest.* *Cha. Bosuille*, Esq; *Lincoln.* *Joseph Banks*, Esq; *Monm.* *William Boomer*, Esq; *Northumb.* *Henry Gray*, Esq; *Northamp.* *William Wake Jones*, Esq; *Norfolk.* *William Henry Fleming*, Esq; *Oxf.* *Sir Edw. Cobbe*, Bart. *Rutland.* *George Cooke*, Esq; *Somerset.* *Orlando Johnson*, Esq; *Stafford.* *Charles Baldwin*, Esq; *Suff.* *John Currance*, Esq; *Southam.* *John Butler*, Esq; *Surry.* *Joseph Chitty*, Esq; *Suffex.* *Barnard*

Lintott, Esq; *Warw.* *John Matthews*, Esq; *Wilt.* *Ed. Mortimer*, Esq; *Worcst.* *Isaac Snow*, Esq; For *South-Wales*: *Brecon*, *Tho. Chamberlaine*, Esq; *Carmar.* *William Penry*, Esq; *Card.* *Bennet Dyer*, Esq; *Glam.* *Hopkin Rees*, Esq; *Radnor.* *John Williams*, Esq; For *North-Wales*: *Ang.* *Richard Roberts*, Esq; *Carnar.* *Hump. Owen*, Esq; *Denb.* *Edward Lloyd*, Esq; *Flint.* *Hump. Parry*, Esq; *Merion.* *John Mytton*, Esq; *Montg.* *Edw. Glynn*, Esq;

Persons declar'd BANKRUPTS.

THO. Parker, late of *Newport-Pagnell*, *Bucks*, Innholder and Chapman.

William Payne, late of *St. Paul's Church-Yard*, Mercer.

Arthur Manwaring, of *Ros*, *Herefordsh.* Shop-keeper and Salesman.

Abraham Ambrose, of *Hounsditch*, Brewer.

Michael Gee, of *Deptford*, Brewer.

Joseph Cooke, late of *Islington*, Rag-Merchant and Chapman.

John Bury and *George Thomas*, both late of *St. Martin in the Fields*, Coach and Coach Harnets Makers, and Co-partners.

James Lyley, of *St. Katharine's*, Victualler.

Nicholas Towers, of *Stepney*, Mariner and Merchant.

John Longham, of *St. James's Market*, Cheesemonger.

Edward Pool, of *Forestreet*, *London*, Cooper and Chapman.

Thomas Serjeant Harvey, late of *Denbigh*, Chapman.

A General BILE of all the Christnings and Burials within the Bills of Mortality, from Dec. 12, 1734, to Dec. 9, 1735.

Christned,		Buried,	
Males	8658	Males	11699
Females	8615	Females	11839

In all 16873

In all 23538

Decreased in the Burials this Year 2524

Died		
Under 2 Years of Age		9672
Between 2 and 5		1963
5 and 10		755
10 and 20		691
20 and 30		1605
30 and 40		2158
40 and 50		2158
50 and 60		1684
60 and 70		1339
70 and 80		872
80 and 90		565
90 and 100		84

A Hundred 3. A Hundred and One 1.
A Hundred and Two 2. A Hundred and Three 1. A Hundred and Four 1. A Hundred and Five 1. A Hundred and Six 3.

Towards the End of the Month.

STOCKS.

S. Sea 82 $\frac{3}{8}$	Afric. 18
—Bonds 31 18	Royal Aff. 100 $\frac{1}{4}$
—Annu. 107 $\frac{1}{8}$	Lon. ditto 12 $\frac{1}{2}$
Bank 145 $\frac{1}{2}$	T. Build.
—Circ. 4 15	3 per C. An. 94 $\frac{1}{4}$
Mil. Bank 108	Eng. Copper 21. 1
India 167	Welfb dit.
—Bonds 41. 18	

The Course of EXCHANGE.

Amst. 35 10	Bilboa 40 $\frac{1}{4}$
D. Sight 35 7	Leghorn 50 $\frac{1}{8}$ a $\frac{1}{4}$
Rotter. 35 11 36	Genoa 52 $\frac{2}{16}$
Hamb. 35 5 $\frac{1}{2}$	Venice 50 $\frac{1}{4}$
P. Sight 31	Lisb. 56 a 5 $\frac{7}{8}$
Bourdx.	Oport. 55 $\frac{3}{8}$
Cadiz 40 $\frac{1}{8}$	Antw. 36 6
Madrid 40 $\frac{1}{4}$	Dublin 12

Prices of Goods at Bear-Key.

Wheat 30 36	Oates 11 16
Rye 20 21	Tares 17 21
Barley 13 14	Pease 19 20
H. Beans 17 20	H. Pease 17 20
P. Malt 19 22	B. Malt 18 20

Prices of Goods, &c. in London. Hay 36 to 42s. a Load.

Coals per Chaldron 24 to 26	Ditto second Sort 46s. a 50
New Hops p. Hun. 41. 10s a 5	Loaf Sugar double ref. 9d.
Old Hops 31. 10	Ditto single refine 6d.
Rape Seed 10l. a 111.	
Lead the Fodder 19Hun. 1 half	Grocery Wares by the lb.
on board, 141.	Cinamon 7s. 8d.
Tin in Blocks 31. 13	Cloves 9s. 1d.
Ditto in Bars 31. 15	Mace 15s. 0d
Copper Eng. best 51. 5s.	Nutmegs 8s. 7d.
Ditto ordinary 41. 16s. a 51.	Sugar Candy white 18d.
Ditto Barbary 80l. a 90l.	Ditto brown 6d.
Iron of Bilboa 141. 0s. per Ton.	Pepper for home consump. 11d.
Ditto of Sweden 121. 10s.	Ditto for Exportation 9d.
Tallow 25s. a 00	Tea Bobea fine 10s. a 12s.
Country Tallow 24s.	Ditto ordinary 8 a 9s.
Cochineal 17s. 0d.	Ditto Congo 10 a 12s.
	Ditto Pekoe 14 a 16s.
	Ditto Green fine 9 a 12.
	Ditto Imperial 9 a 12s.
	Ditto Hyson 20 25s.

Grocery Wares by the C.
Raisins of the S. new 20s.
Ditto Malaga Frailes 16s.
Ditto Smirna new 17s.
Ditto Alicant 16s
Ditto Lipra new 18s.
Ditto Belvedera 24s.
Currants 32
Prunes French none
Figs 19s 6
Sugar Powder best 54s. a 59.

Drugs by the lb.
Balsam Peru 15s.
Cardamoms 3s. 6d.
Campbirra resin'd 7s.
Crabs Eyes 20d.
Fallop 3s. 0d.
Manna 2s. 6d. a 4s.

Mastick white 4s. 0d.
Opium 11s. a 12s.
Quicksilver 4s. 6d
Rhubarb 20 a 30s.
Sarsaparilla 2s. 6d
Saffron English 30s 6
Wormseeds 3s. 6
Balsam Copaiwa 3s. 6d
Balsam of Gilead 20 s.
Hypocacuanæ 4 s. 6d a 5s.
Ambergreece per oz. 8s.
Wine, Brandy, and Rum.
Oporto red per Pipe 30l. a 32l.
Ditto white none
Lisbon red 25 l. a 30
Ditto white 26 l.
Sherry 26 l.
Canary new 25 l. a 28.
Ditto old 32 l. a 34.
Florence 3 l.
French red 30l. a 40 l.
Ditto white 20l.
Mountain Malaga old 24 l.
Ditto new 20 a 21 l.
Brandy Fr. per Gal. 7s.
Rum of Jam. 7 a 3s.
Ditto Low Islands 6s. 4d. a 6s. 10d.

Abstract of the London WEEKLY BILL, from Nov. 25 to Dec. 23.

Christned	Males 641	Females 594	1235
Buried	Males 902	Females 935	1837

Died under 2 Years old	742
Between 2 and 5	147
5 10	44
10 20	61
20 30	133
30 40	173
40 50	161
50 60	135
60 70	118
70 80	87
80 90	32
90 and upwards	4

1837

FROM *Italy*: That as soon as the Duke of Montemar had got the Hint of a Negotiation carrying on between the Courts of *Vienna* and *Paris*, he sent to propose a Counter-Treaty with the King of *Sardinia*; but that his Majesty wrote him this short Answer: 'Sir, I have your Proposals, but for many Reasons cannot accept them. Some late Incidents have taught me two Things; the first is, that War is a Trade, and that People will over-reach one another if they can; and the other, never again to make Alliances with Princes more powerful than myself. For the rest, assure yourself of my Esteem, &c.'

From *Constantinople*: That the new Grand Vizier has frequent Conferences with the Grand Seignor for retrieving the Affairs in *Persia*; and that there has been a profound Tranquillity at *Constantinople* since the said Vizier strangled some of the Chiefs of the Malecontents.

From *Paris*: That when the Count de Montijo had his Audience of the King at *Versailles*, his Majesty said to him at parting, 'Mr. Ambassador, pray tell the King my Uncle, that he has it in his Power to experience new Effects of my Friendship, and the Alliance between us, if he takes Things right at this Juncture.' After which the Cardinal told him, 'That the Court of Spain might thank themselves for what had happened; for that their refusing the *Milanese* to the King of *Sardinia*, after it had been so solemnly promised him, had been the Occasion of these Steps, to prevent the fatal Consequences which must have followed, had his *Sardinian* Majesty joined the Emperor.'

From *Königsberg*: That King *Stanislaus* is said to have wrote the following Letter to the *Polish* Grantees of his Party, and to have recall'd General *Steinflicht* out of *Poland*.

My Dear Friends,

'I am so sensible of what you have done and suffer'd for me, that I want nothing but Ability to suit my Acknowledgments in a better Manner to the Greatness of your Affections than by bare Words; but the Sovereign Author of all Events has not placed me in a Situation so agreeable to my Wishes; I submit however to the supreme Will, with that Resignation which alone has bore me thro' the Disgraces of Life chearful and contented. If you retain any Regard for him who shall never cease to love you, resolve to follow my Example; quit, in Obedience to the Almighty, those Arms you took up from a Motive you believ'd agreeable to him; nor let it be laid to your Charge, that you seek to continue a Disunion amongst your Brethren: On the contrary, cultivate a Union with them, and enjoy together that

Peace which God has sent to restore Happiness once more to our dear Country.'

From *Paris*. This City is in a Laugh at an unlucky Mistake made by one of their Bishops, who writing lately to the young Dutchess of *C—n* and at the same Time to the Cardinal de *Fleury*, directed one Letter for the other: That for the Dutchess, which the Cardinal receiv'd, is as follows.

'I have just now wrote to his Old Eminence, my charming Queen, to entreat his Leave to return to *Paris*; I make no doubt but he will grant it: As for the rest, the Air is so pure here, that I have acquir'd so good a State of Health, that I reckon I shall be able to give you most sensible Proofs of it, when I come to have the Happiness of seeing you.'

Guess (says the Writer of this Account) how the Prelate was surpriz'd when he read the following Answer, which the Cardinal immediately sent him.

'His Old Eminence advises you to extinguish your Passion: His Majesty orders you to remain in your Diocese till further Orders, and requires that your Life and Conversation may be as pure as the Air you breathe; and that you make no other Use of your good State of Health, but to discharge the Duties of your Function.'

From *Vienna*. We are still in the Dark as to the Time when, or the Place where, the Congress will be held; but it is said, that nothing will be decided upon that Head, till *Spain* gives her final Resolution concerning the Preliminary Articles. His Imperial Majesty is resolv'd to keep 200,000 Men on Foot, and has accordingly sent Orders to the Hereditary Countries to provide the necessary Recruits for them.

The following is an Extract of the Articles agreed on at *Verona* for settling a Suspension of Arms. 1. That there be a Cessation of all Acts of Hostility, as is already observ'd upon the *Rhine* and the *Moselle*. 2. That this Suspension of Arms shall equally extend to the Allies of *France* till they shall have declar'd whether they accept or refuse it. 3. That tho' by the Term Suspension of Arms, nothing is meant more than a Cessation of Hostilities, yet 'tis agreed, that the *French* Troops shall retire from the Banks of the *Adige*, and the *Minio*. 4. That they remain in Possession of *Goito* and *Borgoforte*. 5. The said Troops shall have the Course of the *Oglio* as far as its Junction with the *Po* for their Bounds, and the *Po* from that Place to the first Town in the Pope's Territory. 6. The Troops of the two Powers shall not penetrate within each other's Limits, except when the *French* have a Mind to relieve or refresh the Garrison of *Goito*. 7. Passports shall be granted for all Boats and Waggons belonging to the two Armies.

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